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The Canadian Historical Review

NEW SERIES
OF

THE REVIEW OF HISTORICAL PUBLICATIONS
RELATING TO CANADA

(FOUNDED 1896)

VOL. V

TORONTO, SEPTEMBER, 1924

No. 3

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Published Quarterly
At the University of Toronto Press

Price, 50c. the copy, or \$2 the year.

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The Canadian Historical Review

VOL. V.

TORONTO, SEPTEMBER, 1924

NO. 3

NOTES AND COMMENTS

THE ninety-second annual meeting of the British Association for the Advancement of Science was held in Toronto from August 6 to 13. The British Association, which was founded in 1831, has held three other meetings in Canada, at Montreal in 1884, at Toronto in 1897, and at Winnipeg in 1909. To these earlier meetings is due the founding of the Biological Board of Canada, the Tidal Survey, the Montreal Meteorological Station and other scientific enterprises. At the inaugural meeting on August 6, the presidential address was delivered by Major-General Sir David Bruce, on *Prevention of disease*. Popular lectures were given by Sir Richard Paget on *Voice production*, by Professor J. C. Drummond on *Cod liver oil*, by Dr. Charles H. Kimmins on *Sense of humour in children*, by Professor W. McDougall on *Human heredity and national or racial outlook*, by Professor V. Bjerknes on *The forces which lift aeroplanes*, by Sir Ernest Rutherford on *Atomic disintegration*, by Sir Thomas Holland on *The formation and destruction of mineral deposits*, and by Professor D. W. Thompson on *The shell of the nautilus*. Among the lectures intended primarily for the citizens of Toronto were *Einstein's theory of relativity*, by Professor A. S. Eddington; and *Explosives* (with experiments), by Sir Robert Robertson. The geographical section heard addresses by Mr. J. Bartholomew on *Modern developments in the use and construction of maps*, by Mr. J. H. Reynolds on *The work of the permanent committee on geographical*

names for British official use, and several lectures on the topographical and geodetic surveys of Canada; and the presidential address in this section was given by Professor J. W. Gregory, on *Inter-racial problems and white colonization in the tropics*. Professor G. M. Wrong read a paper before the section of Educational Science on *The teaching of the history and geography of the British Empire*. This paper will appear in the next number of this REVIEW. Important addresses on economic subjects were *A retrospect of free trade doctrine*, by Sir William Ashley; *Civilization and population*, by Professor R. M. MacIver; and *The economic outlook in Great Britain*, by Professor A. L. Bowley. At the meetings of the section on Anthropology the time was largely given to discussions of the ethnological history of North America, the most important paper being that of Dr. A. Hrdlicka on *The antiquity of man in America in the light of recent discoveries*. The text of some of the lectures, and abstracts of others are printed by the Association in three publications: *The inaugural address of the president*, published separately; *The Advancement of Science*, 1924, which contains the collected presidential addresses at the thirteen sections; and the *Annual Report*, which gives abstracts of other papers read at the meetings.

Dr. J. C. Webster, a member of the Historic Sites and Monuments Board of Canada, has written a pamphlet in which he advocates establishing a national park at the site of the old fortress of Louisbourg, to commemorate its share in the history of France, Canada, and the United States. The plans of the Board involve the acquisition of the entire peninsula of Louisbourg by the Dominion government. The government already owns about one-half of the area, and the large Kennelly estate will soon become the property of the nation. In order to secure the remaining portion, about one-quarter of the whole, some eight or nine farmer-fishermen must be expropriated and compensated. It will be necessary to appeal to parliament for a special grant for this purpose; and a good precedent exists in the appropriation of \$300,000 in 1908 to purchase the Plains of Abraham and establish it as a national park. Some important facts in Canadian history are, no doubt, in danger of being totally forgotten unless local memories are preserved in written form and by the marking of important sites. A too-scanty provision for the work of the Historic Sites and Monuments Board will make its success

impossible. The cost of securing the remaining land needed at Louisbourg would not be great and could perhaps be raised by public subscription. There are certain to be some who will ask if the site of Louisbourg would be so frequently visited by tourists as to justify a large expenditure by the federal government and the expropriation of the farmer-fishermen. The suggestion is important in itself, and it should give rise to an interesting debate on the floor of the House.

The first article in this number of the REVIEW is a report of the second annual meeting of the Canadian Historical Association, sent to us by Mr. J. F. Kenney, the English editor of the Association. Professor A. L. Burt, of the University of Alberta, contributes under the title of *The Tragedy of Chief Justice Livius* some conclusions about the early British period, which are the result of studies in the Archives at Ottawa. The paper on *Some American Influences on Confederation* is by Professor R. G. Trotter, who has already contributed to these pages an interesting document relating to the Confederation period (see REVIEW, June, 1922, pp. 181-6), and who has recently returned to Canada to take up a position on the staff of the department of history in Queen's University, Kingston. Under the heading of *Notes and Documents* we publish first a speech by Wakefield on *Colonial Garrisons in 1851*, edited by Professor Paul Knaplund, of the University of Wisconsin, some of whose papers on British colonial policy we have had the pleasure of printing. The interesting collection of letters about the Annexation Movement of 1849 has been contributed by Mr. Arthur G. Penny, the editor of the *Quebec Chronicle*, who found them among the papers of his grandfather, the Hon. Edward Goff Penny, the editor of the *Montreal Herald*, and clerk to the secretaries of the Montreal Annexation Association. All the letters in the collection have been calendared, and the more important letters have been printed in full. In the letters will be found much information which has never before appeared in print.

THE CANADIAN HISTORICAL ASSOCIATION

IN this year the Literary and Historical Society of Quebec is celebrating its centenary. It was founded by Lord Dalhousie, then Governor-in-Chief of British North America, on January 6, 1824,—the oldest learned society in Canada. Indeed, its proud claim is that it is the oldest learned society of the king's overseas dominions. It was fitting, therefore, that the Canadian Historical Association, the youngest of our national organizations of learning and our only nation-wide popular historical association, should hold its annual meeting in the city of Quebec in connection with the centennial celebration of the Quebec Society.

The meeting was held on Friday and Saturday, May 23 and 24. During the same week Quebec was the scene also of the annual meetings of the Royal Society of Canada and the Canadian Authors' Association. Quebec would at any time be an ideal meeting-place for Canadian historians. Its attractions were given peculiar emphasis on this occasion. In the old Morrin College building the Literary and Historical Society maintained an exhibition of the more rare and interesting treasures from its library and historical museum, and in the Château Frontenac there was on view a remarkable collection of pictures, maps, and documents relating to Quebec, the property of the Public Archives of Canada. Excursions to places of historic note in the environs of Quebec were arranged by the members of the Royal Society, and those who took advantage of them saw in some of the local churches several of the most famous relics of the *ancien régime*. Particular mention must also be made of the presentation to each of the visiting members of the Canadian Historical Association and fellows of the Royal Society, with the compliments of the Literary and Historical Society, of the charming brochure entitled *Unique Quebec*, prepared by Col. William Wood.

The opening session of the Association was in the hall of Laval University on the evening of May 23. After brief introductory remarks by the Hon. Thomas Chapais and Mr. Lawrence

J. Burpee, the principal address of the session was delivered by M. Ægidius Fauteux, librarian of the Saint-Sulpice library, Montreal. The historical and literary skill which he showed in treating his subject, *The Canadian career of the Marquis de Montcalm*, was highly appreciated by the entire audience, and especially by those to whom the era of the Seven Years' War is a favourite field of investigation.

The sessions of the following day were held in Morrin College. The presidential address of Mr. Lawrence J. Burpee consisted of an outline of the activities of the Association during the past year and of its plans for the future. To the membership roll the names of 109 new members have been added. Work is being continued on the preparation of a series of outline lectures in Canadian history, and of a Canadian historical atlas, and a proposal for a dictionary of Canadian history is under consideration. Action was taken looking to the preservation of an ancient buffalo pound near Macleod, Alberta; of the old military burying-ground at Chambly; of the old North West Company post at Kamloops; and of the bastion of the old fort at Nanaimo. The Association was represented at the annual meeting of the American Historical Association in December, at the meeting in September to commemorate the work of the early Jesuit missionaries on Georgian Bay, and at the Parkman centennial celebration in Montreal in November. An effort is being made to establish a permanent Parkman memorial in the form of a fund to assist students of Canadian history in carrying on their investigations and in publishing their works. Mr. Burpee concluded his address by extending the warmest congratulations and good wishes to the Literary and Historical Society of Quebec.

The report of the Treasurer, Mr. C. M. Barbeau, showed total receipts of \$1,211.46 (including a balance of \$367.33 taken over from the preceding year), and expenditures of \$753.73, leaving a balance on hand of \$457.73. The report of the Historic Landmarks Committee, presented by Mr. Pemberton Smith, called attention in particular to the work on the card index, designed to become a permanent record of the exact location of all historic sites and monuments. Representatives of various local historical societies and other members gave short accounts of historical activities in the several provinces from Nova Scotia to British Columbia, and other matters of interest were brought to the attention of the Association—such as the Paget process of colour photography and its value in the preparation of lantern

slides to illustrate lectures on history, explained by Professor Leo Harvey; and the vast undertaking now being carried out by the Yale University Press in the preparation of a pictorial and a cinematograph record of American history, described by Col. William Wood.

Among the resolutions passed by the meeting, one proposed that the care of the old fortifications of Quebec be entrusted to the National Battlefields Commission; another "that the Dominion Government be requested to consider the advisability of establishing a federal park in the neighbourhood of Bella Coola to commemorate the expedition of Alexander Mackenzie to the Pacific Coast in 1793, the culmination of the long search for an overland route to the sea;" and a third "that the legendary and historical landmarks of the upper Skeena river be suitably commemorated by the federal Government, and that an effort be made to preserve the totem poles and Indian graveyard villages." The meeting also passed a vote of thanks to the Department of the Interior, Canadian National Parks Branch, for publishing the *Annual Report* of the Association. Suggestions were made that the Association establish links of communication with the Royal Historical Society and with the (English) History Association, and that it make use of the educational periodicals of the different provinces for promoting historical interest. Motions of condolence on the death of several valued members were adopted: E. C. Whitney (life member), J. Castell Hopkins, Lawrence Fortescue, James Hope, Dr. Otto Klotz, H. C. Mott, and Sir Edmund Walker.

A list of the officers elected for the coming year is appended.

Consideration of the academic side of Saturday's programme has been left to the last. The Association broke ground in the field of European history with a scholarly paper by Professor W. T. Waugh, of McGill University, entitled *Shakespeare's Henry V in the light of recent research*. The short paper by Dr. W. H. Atherton, of Montreal, on *The study of local history* led to considerable discussion. Under the title *Le vieux Québec et ses guides historiques*—an address illustrated with lantern slides—Lt.-Col. G. E. Marquis, of Quebec, told the history of some of the more famous sites and buildings in that city and described the organisation of a corps of historical guides for the assistance of visitors. Three papers on related subjects—*Benedict Arnold; Expédition d'Arnold, 1775, de Cambridge à lac Megantic*; and *La Beauce en 1775*—were presented by Philippe Angers, of Beauce-

ville. *Temlaham, an Indian Paradise Lost in northern British Columbia*, by C. Marius Barbeau, describing the Indians of the upper Skeena river and their legends, and *The end of Alexander Mackenzie's trip to the Pacific*, by Harlan I. Smith, of the Victoria Memorial Museum, describing the Bella Coola district and its Indian relics, and identifying the places visited or mentioned by Mackenzie, were illustrated by lantern slides. Both were designed to serve as pleas for setting apart the respective regions as national parks. An interesting and instructive account was given by Miss Frances M. Staton, of the Public Reference Library, Toronto, of her work in compiling the bibliography of material relating to the rebellion of 1837-38 which has recently been published by that library.

JAMES F. KENNEY

OFFICERS OF THE CANADIAN HISTORICAL
ASSOCIATION, 1924-25

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Auditor, Col. J. F. Cunningham, Ottawa.

THE TRAGEDY OF CHIEF JUSTICE LIVIUS¹

PETER LIVIUS was like Hamlet,—with a difference. The world was out of joint, and he was born to set it right. But he rejoiced. This confident attitude, however, did not save him from tragedy. Vigorously he strove to set the world right, and just as vigorously the disjointed world did him wrong. This perverse Nemesis pursued him not only through life; it pursued him even after death. His reputation, when he was no longer on earth to defend it, has served as a sacrifice for that of Carleton.

Before he came out to Canada to trouble the governor and work his own undoing, Livius had staged a rehearsal of his drama in New England. After pleading at the bar for some years, he was finally promoted to the Bench and admitted to the Council of New Hampshire. Successful in the practise of law, he now tried to practise reform,—a more difficult profession. Governor Wentworth's administration was not "simon pure". The Council was filled with his relatives and dependents. Large tracts of land were taken from those to whom they had been granted and conferred upon others. The Council blocked an inquiry into certain money matters demanded by the Assembly, and silenced Livius when he sought to enter the reasons for his dissent from this decision. Judges were shifted off and on the bench, until, on the fourth trial of a case in which the governor was interested, a favourable judgment was pronounced. Livius himself was eliminated from the bench on its reconstruction following the division of New Hampshire into counties. Who was more fitted than Livius to cleanse this Augean stable? Thus he ran foul of the rest of the council and their protector, the governor. Failing

¹Apart from the *Acts of the Privy Council; The Loyalists of the American Revolution*, by Lorenzo Sabine; *Constitutional Documents*, ed. Shortt and Doughty; and earlier numbers of this *Review*, all the references are to documents in the manuscript room of the Public Archives of Canada. These documents are therefore referred to only by designating the series in which they are to be found, without any further mention of the Public Archives.

to accomplish anything in New Hampshire, except his own discomfiture, he laid his complaints before the home government. He expected to find supporting evidence in the journals of the Council transmitted by the governor, only to discover that Wentworth had covered up all his sins by yet another,—he had disobeyed instructions by failing to transmit copies. Everything was laid before the Board of Trade, who found the charges to be proven. But the Board added a rider to the effect that the colony was doing very well under Wentworth's firm and temperate government. Indeed, the abuses seem to have been worse on paper than in fact. The Committee of the Privy Council, to whom this report was referred, concluded against censuring Wentworth. He was left in his government, escaping with a light reprimand for not sending home copies of the journals.¹ Livius' situation was now extremely awkward. Though he had been vindicated, he would have to return to plead in the courts where he had sat as judge. How could he escape the malice of his powerful enemies? Life would be intolerable! He appealed to Dartmouth.²

Canada's Sir Edward Coke came to this country because Dartmouth was moved by his plight.³ The house-cleaning of the Quebec Act revealed to the secretary of state a way for rendering substantial justice to Livius. In May, 1775, he launched him on a new career with a warrant for his appointment as judge of the Court of Common Pleas in Montreal, and a letter to Governor Carleton. The letter urged Carleton to give Livius precedence over his colleagues, and recommended that he might be further rewarded by a seat in Council and the grant of a seigniory.⁴ Dartmouth would have done even more,—he had given Livius to understand that he might succeed Hey as chief

¹*Acts of the Privy Council, Colonial Series*, vol. 5, pp. 370-75; *Ibid.*, *The Unbound Papers*, pp. 526, 529-36.

²*Dartmouth MSS.*, Patshull. Pt. 1 (1668-1775), p. 65.

³Sabine says: "Livius appears, however, to have gained much popularity among those in New Hampshire who were opposed to the Governor, and who desired his removal; and was appointed, by their influence, Chief Justice of the Province. But as it was thought that the appointment, under the circumstances, was likely to produce discord, he was transferred to a more lucrative office in the Province of Quebec" (*Loyalists of the American Revolution*, Boston, 1864, vol. 2, p. 22.) But Sabine gives no authority for this statement which seems hardly credible.

⁴*Q.*, vol. 11, p. 139, "The legal education which Mr. Livius has had, and his rank as a barrister here will entitle him to be first named in the Commission." Harvard had given him an honorary degree in 1767.

justice.¹ As it turned out, Livius became acting chief justice almost immediately upon his arrival. There had been another claimant ahead of him, but he left the country, and Hey himself sailed for home only a week after Livius landed. He remained justice of the Court of Common Pleas and acting chief justice until May, 1777, when the news of his definite appointment to the higher office reached Canada.

For about two years, Livius' relations with Carleton seem to have been unclouded. His first winter he spent with Carleton in Quebec, besieged by the Americans. He served his military turn with the other civilians, and dispensed justice in the intervals. When Montreal was cleared of the invaders in the summer of 1776, Livius went up the river to assume his regular duties. As judge of the Court of Common Pleas at Montreal, his behaviour seems to have been above reproach. This was not because he limited himself strictly to the confines of his task, for we find him, in May, 1777, interceding with Carleton on behalf of four soldiers condemned to death. He pointed out "that the examples of outrages committed by the soldiery, considering their numbers and other circumstances, are very few". Carleton yielded with good grace.² They were obviously on friendly terms in June, 1777, when Livius petitioned the governor³ to expedite the payment of certain salary arrears which he claimed. He appealed to Carleton, "whether his behaviour throughout the troubles of this Province has not been such as to entitle him to every just consideration". If Carleton could have found one fault with Livius, it would have come out in the correspondence of 1776 and 1777, for Germain's succession to Dartmouth, in January, 1776, was gall and wormwood to the governor of Quebec, and he began to pour out a series of querulous dispatches which read like the letters of a spoiled child. Among other things, he criticized every judicial appointment made from home since the Quebec Act. He found shortcomings in several other appointees, but not one word did he breathe against Livius personally.⁴

¹*Dartmouth MSS.*, Patshull, vol. 2 (Unpaged), Livius to Dartmouth, Nov. 10, 1775. This letter is a remarkably shrewd analysis of the situation at the time of the invasion.

²*B.*, vol. 39, p. 474, Carleton to Livius, May 12, 1777.

³*Ibid.*, vol. 204, pp. 2-4. This is erroneously endorsed, June, 1775.

⁴*Q.*, vol. 12, p. 119; *Ibid.*, vol. 13, pp. 160, 181; *Ibid.*, vol. 14, p. 264. There are several inaccuracies in Bradley, *Lord Dorchester*, p. 184. Livius was not appointed to the Bench by Germain, but by Dartmouth. The quotation (*Q.*, vol. 14, pp. 267-8) does not refer to Livius, but to Owen. Grant was not supplanted by Livius. He was

Cramahé was the first to cross Livius' path, in the late summer and early autumn of 1777, when there was a merry row. Carleton was absent from Quebec, pre-occupied by the war, and Cramahé was in charge of the government. Apparently he had snubbed Livius, for the latter complained that the governor's deputy had never set foot in his house. Soon they became as heated as they had been cool. The first sparks flew in the Court of Appeals—the Council sitting in a judicial capacity—where Cramahé presided. On August 19, the Court defeated an attempt to introduce new evidence in a case appealed from Montreal, by laying down the general principle that it could receive only such evidence as was sent up by the inferior court. Livius protested,¹ and four days later submitted a reasoned argument to support his objection. The only passage to which any one could have objected was his concluding warning to the Court that any judgment based on their recent ruling would "only occasion great charges to the parties, and . . . finally be adjudged a nullity". Two months later, during Livius' absence, the other members of the Court filed a long argument against Livius' view, antedating their document August 19. The chief justice did not see this till a fortnight later, and then he replied in a much longer argument which included one or two ironical asides at the majority.² These two latter papers seem superfluous. Possibly they might not have appeared but for an intervening incident which had poisoned the atmosphere.

On September 24, Cramahé ordered the arrest of Giroux, a tanner, and his wife for seditious utterances. He lodged them in the military prison, "that they might not be immediately bailed out, which would have defeated the very purpose for which they were taken up". This invasion of the civil by the military authority roused Livius. He waited for several days to see what would happen to the prisoners. At last, on October 4, he went to Prentice, the provost marshal, and asked him if he did not have a man and his wife in custody. After copying the name

never on the Bench in Canada. He was attorney general till 1777, when he was replaced by James Monk. The judge referred to in the quotation was John Fraser. Bradley's picture of Livius is most unreliable. It is drawn solely from what Carleton said after Livius had caught him in a wrong course, after he had dismissed Livius most wrongfully, and was trying to justify his false step.

¹There was much to be said for Livius' position, but the home government, some time later, upheld the majority on this point.

²*Ibid.*, pp. 401-27.

and the commitment from the provost marshal's book, he rated the poor officer for receiving a civilian prisoner. On the following day, he summoned Prentice to his lodgings to inquire if the prisoners were yet released. Then he announced that he would order the tanner and his wife to be brought before him for examination. This provoked Prentice to reply that he could not deliver them without the lieutenant-governor's orders. Livius exploded. He would commit the provost marshal himself if he would not obey. The unfortunate officer was thoroughly alarmed. In all his fifty years he had never been confined an hour. Livius now turned on Cramahé, scolding him for his "very extraordinary proceeding". The great judge's self-importance was bursting through the letter. "As Chief Justice", he said, "I and I only in this province, while civil law prevails, have lawful authority to commit without expressing a cause . . . and it is my duty to take care that so extraordinary a power shall not be usurped. . . . If any other justice of the peace had acted in the manner you have I would direct an information against him before me, and I would proceed publicly against him". But with all his bombast, Livius mixed good common sense. He continued; "I shall issue a writ commanding to bring the parties before me with the cause of their commitment, on the case appearing judicially before me to be as I have mentioned it, I shall discharge them, but so as to occasion as little reflection as possible on your strain of proceeding—or if any good cause for their detention can be shewn to me, I will either bail them, if it be right to do so, and they be provided with bail, or I will remand them to the proper prison by my own warrant, to take their trial at the ensuing term. . . . By this method I shall bring back this matter from its present extraordinary course into the natural legal ordinary channel, so as it may proceed if necessary to trial, conviction, and exemplary punishment." Cramahé replied curtly, enclosing the evidence against Giroux, and cautioning the chief justice against any action till Carleton returned to the city. He also remarked upon the nature of the times, and offered more information if Livius would take the trouble to call. This invitation Livius declined, preferring everything to be set out in black and white. He repeated his demand for submission "to the judgment of the law of the civil prisoners who had been illegally hidden away in a military prison," and further required that the provost martial should "make a proper submission for his indiscretion in telling me yesterday to my face that he would not obey the

King's Writ without an order from Mr. Cramahé". The lieutenant-governor treated this letter, to quote his own words, "with silent contempt". Livius made no attempt to carry out his threat of haling the prisoners from their confinement. Very properly, he appealed to Carleton who, far from adding to the flames, quickly smothered them. He made a scapegoat of the innocent provost martial. He reprimanded him "for supposing any prisoner ought not to be delivered to the Chief Justice upon his requisition," and reported to Germain that Cramahé, "far from approving, had given orders that he should comply with whatever Mr. Livius might require".¹

Clearly, Carleton sided with Livius, and his judgment seems to have been sound. Cramahé had no right to send Giroux to the military prison. He broke the law in order to defy it. Livius, on the other hand, was wrong in thinking that the Habeas Corpus Act was in force in Canada. But his belief was so shaky that he never acted on it during all his stay in the country. Though repeatedly asked for a writ of Habeas Corpus, he always managed to avoid issuing one.² Thus Cramahé knew the law but violated it, while Livius mistook the law but did not act on his mistaken notion. Behind this question of law, lay a deeper question of policy. Alarmed by the double danger of American invasion and domestic sedition, Cramahé was all for direct military measures, while Livius, not without good reason, was convinced that arbitrary methods would only aggravate the internal unrest

¹*Ibid.*, pp. 230-63. After the storm blew over, Livius apparently wrote home to his friends, Bamber Gascoyne, a member of the Board of Trade, and Cumberland, an official of the Treasury, giving them an account of what had happened. In the spring, as Haldimand was setting out, they each wrote a letter to Livius. Both were written at Germain's instigation, and were designed to establish cordial relations between Livius and the new governor. Gascoyne said: "I am sorry you have had so much trouble in doing what you ought to do, you must impute part of this to the ignorance and want of comprehension of those who have opposed you . . . men bred in a military school . . . cannot readily conceive the principles of the common law. . . . It is His Excellency's wish to gain confidence . . . where he shall convince you that in some degree the law of discretion must supersede the law of the land, you will not in such case oppose yourself thereto." The letter concludes with some playful banter: "I heartily wish you may spend the summer in your robes, but if the scales must be thrown under the table, I doubt not the General will promote you to a halbert; and if Col. Maclean should swear at you so abundantly as heretofore, he will allow you to scare him up against a law day." Cumberland's letter was more perfunctory. Of course both cautionary epistles arrived after Livius had been deposed from his throne (B., vol. 204, pp. 12-21.)

²C.O. 42, vol. 9, p. 75, Livius to Germain, May 9, 1778.

and thereby increase the danger from without. He did not favour freedom for babblers of sedition. Only six months before, he had condemned a man at Montreal for just such words as those of Giroux. More than once, he had discussed with Carleton the necessity for "stopping idle tongues".¹ But he wanted it to be done in the only safe way,—legally.

During this little storm in Quebec, there were great ones on the Atlantic. About the time the tanner's tongue was wagging, a frigate sailed from England. It was bearing Haldimand out and was to carry Carleton home.² It might have been well for Carleton had she reached the Gulf, but she was forced to put back. Thus Carleton remained in Canada till the middle of 1778, and became embroiled in his famous quarrel with Livius.

The whole trouble arose from Carleton disobeying his instructions and carefully concealing his disobedience, thereby warping the Quebec Act. It is necessary to recall, but needless to repeat the whole story which has been so well told in a previous article in this REVIEW.³ By secreting his instructions, Carleton thwarted the purpose of the home government to give the English minority the benefits of English commercial law and of the Habeas Corpus Act. Also, by creating his privy council, he kept the control of the government within the hands of a small circle of intimates. Chief justice Hey had a glimpse of the knotty problem which Carleton's delinquency produced, and he shrank from it.⁴ Livius saw it in its full light, and he was not afraid, though he proceeded cautiously at first. There is no record of any friction between the governor and the chief justice until some time about the close of 1777, when Livius went quietly to Carleton and "very respectfully" tendered some "private advice" on these two points. The interview was a failure, for Carleton was steel to Livius' flint. Thenceforth, they seem to have been sullen foes.⁵

Unable to move the governor by private remonstrance, the chief justice waited his opportunity to act in a more effective manner. It came when the Legislative Council was summoned at the end of March, 1778, the first and only session which Livius

¹Q., vol. 14, pp. 235-36.

²Ibid., vol. 15, p. 15, Germain to Carleton, April 15, 1778.

³William Smith, *The Struggle over the Laws of Canada*, vol. 1, p. 166.

⁴Dartmouth MSS., vol. 2 (Unpaged), Hey to Dartmouth, Oct. 24, 1775.

⁵C.O. 42, vol. 9, p. 73, Livius to Germain, May 9, 1778; *Ibid.*, p. 96, The answer of Peter Livius to the objections of Sir Guy Carleton, to the Board of Trade, Dec. 15, 1778.

attended.¹ On April 8, he introduced a motion calling upon Carleton to produce his instructions. The Council, following its regular procedure, ordered it to be translated into French and adjourned the discussion till the 11th.² On the same day, Livius began to prepare for his second charge. He asked Williams, the clerk of the Council, to let him see the minute book of the privy council. This he examined alone in Williams's own room. When the latter returned, Livius requested a copy of Carleton's order of August 8, 1776, which had created the privy council and was inscribed on the first page of its minutes. Williams demurred, doubting his authority to comply with the request. He referred the matter to the governor on the 10th, and the latter forbade anyone reading or taking copies of any part of the privy council minutes without his own permission. The following day, Livius' motion of the 8th was defeated by eleven to five, and he was informed by the clerk of Carleton's orders about the minutes. Not satisfied with this verbal transaction, the chief justice dispatched a note to the clerk on the 12th, desiring the latter to put it in writing, which he did.³ Meanwhile, the Legislative Council had been adjourned until the 23rd. Then Livius brought forward his second motion, pointing out the illegality of the privy council, and providing for "an humble address . . . to His Excellency the Governor, stating the premisses and humbly praying that he will be pleased to order convenient Remedy". The discussion of this, along with the question of fees, for which Carleton had called the Council together, was postponed to the 25th. But the Council met on that day, only to be prorogued by the lieutenant-governor on the governor's orders. By this precipitate action, Carleton forestalled any examination of his favourite but illegal privy council.⁴

It has been supposed that Livius' conduct in the council was the immediate cause of his dismissal. But several days elapsed before Livius was removed from office, and in the meantime he met Carleton and gathered that his "offence at these motions had blown over".⁵ It is possible that Livius might have remained on the Bench, had he not done something the

¹Livius' promotion occurred just after the end of the previous session in 1777.

²*Journals of the Legislative Council*, D., p. 35.

³B., vol. 204, p. 6, Livius to Williams, April 12, 1778; *Ibid.*, p. 8, Williams to Livius, April 13, 1778.

⁴*Journals of the Legislative Council*, D., pp. 38, 40, 43.

⁵*Shelburne MSS.*, vol. 66, p. 84.

very day before the blow fell upon him. On April 30, he upset a judgment in a case which had been stirring tremendous interest throughout the country.

The Dobie case first came up in Montreal at the close of 1776. Richard Dobie had done some business with Carignan, another merchant, on a Sunday evening. "The next morning, Carignan broke." Soon the rumour flew abroad that Dobie had cheated Carignan's creditors of a large sum of money. Thereupon the latter entered suit against the former, whom everyone now denounced as a finished rascal. Even down in Quebec, it was the choicest scandal of the day. Carleton himself joined in the outcry. Perhaps his interest was stimulated by one of Carignan's assignees, Brook Watson of London, who was then in Quebec and on intimate terms with the governor. Livius, too, happened to be in Quebec at that time. Before returning, he "waited on the Governor to ask his commands for Montreal".

Livius' impressions of the interview are worth quoting. "When we were alone, after some general discourse, he spoke of the extraordinary cause I should find instituted at my return, and he let me see very plainly that he conceived Dobie much to blame. It was not very pleasant to me to be spoken to at all by the Governor concerning a cause pending before me, but as it might be innocently done, and for other reasons, I passed it by very quietly. Indeed from such public discourse as I could not avoid hearing, I had perhaps before imbibed some degree of prepossession against Dobie. . . . Upon the whole I certainly left Quebec with a very bad opinion of Dobie, and yet grieved that the Governor had spoken to me on the subject." He went up to Montreal prepared to find Dobie "a complete knave". It was a civil case, and therefore, according to the law of the day all the evidence and a great part of the arguments on both sides were in writing. When Livius examined these papers, the scales fell from his eyes. Dobie stood before him, an honest and a much maligned man. Livius prudently kept his discovery to himself, for "people's ears were shut up", and he was worried about the possibility of offending the governor. Then came relief,—the news that he was promoted.

But the case from which he escaped in Montreal pursued him to Quebec, for Dobie lost and straightway appealed. The chief justice now tried to excuse himself on the ground that he had already sat upon the case, only to be answered that he had not pronounced judgment upon it and, having already heard it,

would be in a better position than any other member of the court of appeals. On the eve of the trial, Attorney General Monk, who was acting for Dobie in this civil cause, came to Livius and pressed some very friendly advice. He told him to stay away from court the next day, for he knew what his opinion must be and that it would go hard with him after the offence given to the governor by his two motions in council. But Livius was not to be frightened from the path of duty. April 30, 1778 must have been a long-remembered day in the lives of many people in Canada. The court-room was crowded and feeling was intense. Even Monk, who knew Livius' mind, harboured no hope for poor Dobie. Livius, though only one of twenty judges, was a man of rare power, and he must have taken the greatest pains to prepare for the crisis which was now at hand. When he opened his mouth, a miracle was wrought. He summed up the case in such a nicely reasoned argument that he carried the court with him in a unanimous judgment for Dobie. Public opinion immediately swung round to favour Dobie as violently as it had decried him. Everyone wondered how they could have been so led astray. The next morning, Livius was "fired".¹

From that moment, Livius knew naught but trouble. Dumb-founded by the curt note from the secretary informing him that he was no longer chief justice, he wrote to the governor praying that he might be informed of the accusation against him and allowed to reply. Back came a verbal message "that there was no answer". Utterly in the dark, he began to press some inquiries. From a few of Carleton's friends, he gathered that he had been struck down because of his motions in the council. It was outrageous! Moreover, would not the governor, who had acted so unjustly and so illegally, load the dice against him? There was nothing to be done except to write a long letter to Germain² and to await the arrival of the new governor. When Haldimand appeared, Livius importuned him by letter and by word of mouth for access to the records, the materials for his justification. The wary Haldimand denied him access, but offered copies of any documents which he might specify. Thereupon Livius pled: "I submit to your Excellency whether it is right that my adversary who keeps secret from me the accusation he pretends against me should also be the person whom I shall be forced to trust to

¹*Ibid.*, pp. 81-85, Livius to (Treasury), March 9, 1782; *Ibid.*, pp. 89-96, Livius' Argument in Dobie case, April 30, 1778.

²C.O. 42, vol. 9, p. 69.

for the transmitting what may be necessary for my justification." But Haldimand was adamant.¹

Carleton explained his action in a dispatch to Germain, dated June 25.² Carefully avoiding the ground of his quarrel, offering no criticism of the chief justice, he filled the letter with querulous charges against Livius the man and the councillor—a most troublesome fellow whom he had to dismiss to preserve discipline in the colony and peace for Haldimand. Livius was much more straightforward. On his return to England, he proceeded by way of memorial to the king.³ Not one-quarter the length of Carleton's vague letter, it is a simple statement of facts,—his appointment to, fulfilling of, and dismissal from his office, his belief in the illegality of the governor's action in dismissing him, and his own submission. It concludes with a prayer for justice.

The investigation at home began when the Board of Trade received this memorial, on September 24. Ten days afterwards, a copy was sent to Carleton with a request for his reasons.⁴ He referred the Board to his letter of June 25, and to the council minutes.⁵ On the margin of Livius' memorial, he entered some comments.⁶ "Turbulent and factious" appears beside Livius' statement that he had filled his office faithfully. Opposite Livius' remark that he had submitted to Carleton's illegal exercise of his authority in order to avoid a public scandal, the late governor wrote, "to avoid being sent to the common gaol". On December 15, Livius delivered his reply,⁷ and the Board wrote Carleton offering a copy of this document and notifying him of their meeting again in a few days so that he might be present.⁸ This time, Carleton was quite petulant. "I have not a wish," he wrote, "to know what that gentleman has or may say upon the matter . . . nor have I a wish to offer anything further, nor do I consider myself as more interested in the event than in any other of like importance to the King's service." He would come only if he was actually wanted.⁹ On March 2, 1779, the Board

¹Q., vol. 15, pp. 178-91.

²*Ibid.*, pp. 152-60.

³C.O. 42, vol. 8, p. 87.

⁴Q., vol. 18A, p. 125.

⁵C.O. 42, vol. 19, p. 52.

⁶*Ibid.*, p. 50.

⁷*Ibid.*, vol. 9, pp. 80-100.

⁸Q., vol. 18A, p. 127.

⁹C.O. 42, vol. 9, p. 101.

of Trade submitted their report.¹ The only fault they could find with Livius was in his second motion, which might have been "propounded in terms more studiously guarded". Indeed the Board condemned Carleton rather than Livius, for he had defied his instructions and had removed the chief justice without cause. But the final decision in such an important matter was not allowed to rest solely on the findings of the Board of Trade.² It was referred to the Committee of the Privy Council for Plantation Affairs. Again Carleton was invited to appear, and again he declined.³ "I am very sensible of the Lord President's attention, but I submit the propriety of that measure to their Lordship's judgment; and leave Mr. Livius to explain his own proceedings in the Legislative Council of that Province, in March and April, seventy eight, together with his letters to the Lieut. Governor, when I was at St. Johns the preceding fall. . . . To his own words I refer their Lordships, that from them they may judge, whether it would have proved detrimental to the King's service, and to the tranquility of His province of Quebec, had Mr. Livius continued Chief Justice during General Haldimand's administration. If not, I can wish for nothing more ardently than his being immediately reinstated." On March 29, appeared an Order in Council, clearing Livius and commanding his reinstatement.⁴

Though restored to his chief justiceship, Livius never returned to Canada. This has been interpreted in Carleton's favour. Was not the retention in England of this troublesome judge a proof that Carleton, though legally wrong, had been morally right?

As a matter of fact, the government was most anxious to send Livius back to Canada, and after many delays he actually sailed for Quebec to resume his interrupted duties. Two days after the Order in Council, Germain instructed Livius to return "by the first conveyance".⁵ A fortnight later, Germain wrote Haldimand that Livius was embarking, and that he had given solemn promises to "give you every assistance in his power".⁶

¹*Constitutional Documents*, vol. 2, p. 698.

²Q., vol. 16-1, p. 32, Germain to Haldimand, April 16, 1779.

³C.O. 42, vol. 19, p. 60.

⁴*Acts of the Privy Council, Colonial Series*, vol. 5, pp. 463-71. Whether the Governor had the legal right to dismiss the Chief Justice was never settled.

⁵Q., vol. 16-1, p. 18.

⁶*Ibid.*, p. 32.

A few days later, the Treasury ordered Haldimand to pay Livius his salary from the day he had been removed.¹ Livius, however, did not sail in that fleet. His salary had been cut off, and he had incurred considerable debts during his winter's sojourn in England. He was busy at the Treasury trying to get a settlement of his claim for arrears from August, 1776 to May, 1777, but could get nothing.² In July, Germain again urged Livius to depart, and again Livius begged for time to clean up his financial troubles.³ Still Germain pressed him. Early in August, Livius thought he might have to leave immediately, in spite of his failure to get satisfaction from the Treasury, and he begged to be presented to the king.⁴ Somehow he managed to remain. In the spring of 1780, when he was booked to sail in the first convoy, he found another excuse. For many years he had not seen his brother, who was accountant-general of the East India Company, and now he was on his way home.⁵ In the summer, the difficulty was in finding a ship that could accommodate him and his large family.⁶ At last, in the autumn of 1780, Livius actually sailed. But Heaven intervened between Livius and Haldimand. Off the Banks of Newfoundland, a violent storm dismasted the ship, which was driven back to Ireland, narrowly escaping shipwreck off the coast of that island. There, Livius was detained for a long time by a tedious illness.⁷

Not until three years after his justification was there any sign of reluctance on the part of the government to send him back to Canada. When he was about to sail again in the spring of 1782, Livius was attacked by fears that history might repeat itself. For this he had no relish. He was getting on in years, and, as he wrote to Shelburne, "a third dispute with a Governor must, right or wrong, fix me as a most impracticable person."⁸ This uneasiness was caused by several of Haldimand's civilian prisoners who had sent over an appeal to the chief justice in England. Livius therefore presented the situation to Secretary of State Ellis, and urged "the necessity of some preventive

¹*Ibid.*, p. 26.

²Hey had got the money.

³*Ibid.*, pp. 67, 68.

⁴*Ibid.*, p. 314.

⁵*Q.*, vol. 17-1, p. 64.

⁶*Ibid.*, p. 106.

⁷*Q.*, vol. 19, p. 190, Livius to Shelburne, April 7, 1782.

⁸*Shelburne MSS.*, vol. 18, p. 98.

measures".¹ From other correspondence, it is clear that he wanted to be protected by special instructions to the governor. At once the government seems to have become suspicious, and Livius began to feel that there were real obstacles in his way. Lord Sydney, who as Thomas Townshend was at this time in the ministry, made a frank statement about it to Pitt a few years afterwards. "The Ch. Justice, when he was at Quebec, was in constant opposition to Sir Guy Carleton. He made no secret to me that he should do the same by Gen. Haldimand if he returned, which made me resolve to prevent his return."²

On looking back over this quarrel between the governor and the chief justice, Livius' motives appear to be absolutely honest, and his actions to have won the support of the government. But what of Carleton? He is shown up in a very bad light. His motives appear very doubtful, and his actions were condemned by the government. The government condemned not only his dismissal of Livius, but also the course of action which brought him into conflict with Livius. Additional instructions were at once issued to Haldimand to prevent him disobeying as Carleton had done. Carleton's motives, however, present a more complicated problem.

Carleton was cornered by Livius, as he had been cornered by Irving and Mabane in 1766. Again he struck out recklessly, crushing his virtuous enemy.³ Why did he strike desperately in 1778, as he had done in 1766? His government was not beginning, it was over. He completely escaped by proroguing the council. The blow of May 1, seems inartistic, to say the least. Why did he do it? Was it really to save Haldimand and restore the morale of the country? Perhaps this contributed to his action, but it did not govern it. This appears distinctly upon a close examination of his letter of June 25, and of his attitude during the investigation. The first suspicious thing about that letter is its date. Why did he wait eight weeks before giving any account of his extraordinary action? One would naturally expect an explanation right away, or at any rate in his first letter home. Now, he wrote a dispatch to Germain on June 10, in which he avoided all mention of Livius.⁴ Indeed, he waited till

¹C.O. 42, vol. 19, p. 62, March 12. There is another copy in Q., vol. 19, p. 171, dated March 13.

²C.O. 42, vol. 18, p. 144.

³*Supra*, vol. 4, p. 321; A. L. Burt, *Carleton and his first Council*.

⁴Q., vol 15, p. 35.

the very last minute. Haldimand's ship was expected to anchor next day. The letter itself is that of a man squirming out of a tight corner. After mentioning the proposed measure for regulating fees, he insinuated that Livius blocked the proceedings of the Council because he was greedy of the fees he would lose,—Livius who never received a fee in Canada.¹ Then he painted an absurd picture of the chief justice trying to step into the shoes of the French intendant. Not content with misrepresentation, he sank into actual falsehood. He said that, "this business, (of fees) so reasonable and necessary, was continually interrupted by motions and speeches," and that he prorogued the council when there was no hope of that business being settled. As a matter of fact, the tedious investigation of the fee situation was just completed, and the Council was ready to take action only on the very morning Carleton suddenly ended its session.² The dispatch concluded with a positive insult to Germain. During the investigation in England, Carleton's behaviour was that of a man who feared to face the issue. His marginal comments on Livius' memorial were not only unjust, they were malicious. His letter to the Privy Council was more than brazen, it was dishonest. When the investigation was going against him, the only new evidence that he could rake up was Livius' opposition to Cramahé in the autumn of 1777,—which Carleton had already upheld.

Now all this shiftiness throws grave doubts upon Carleton's good faith when he said that he dismissed Livius simply to save Haldimand and the peace of the country. Where is the key to the mystery? It lies in Carleton's arbitrary temper and his friends' natural fears. He was surrounded by a little clique, the members of the privy council and their friends, and they probably managed him more than he knew. They were not necessarily corrupt. Indeed, they seem to have been very good men. But, through Carleton and his privy council, they held power, and power is sweet. Would they be able to keep it after the new governor's arrival? They were nervous. As the crisis approached, Livius dealt a deadly blow at the pillars of their power. Would they not plague Carleton to get rid of this pestiferous fellow? Carleton himself was angered by the bold Livius. But he hesitated to take the daring step of dismissing the chief justice, in

¹C.O. 42, vol. 9, p. 95. Answer of Livius to Carleton, before the Board of Trade, Dec. 15, 1778.

²*Journals of the Legislative Council*, D., p. 39.

whose judicial administration he could find no flaw. Then came the Dobie judgment. Was it not "the last straw"? In the heat of the moment, did he not catch a vision of that flaw he wanted? Having struck too eagerly, did he not see his awful blunder? How could he put his action in a proper light? Eight weeks were all too short to solve the riddle. Was not this why he shrank from the investigation at home?¹

Poor Livius, Carleton's victim, was pursued by a perverse fate to the very end. Unable to secure "preventive measures", and finding that he was being detained, he became frightened about his position. Therefore he sought to cover himself by suing Carleton, "for the great expences and damages and ill treatment" he had sustained.² This was in the spring of 1782, shortly after his letter to Ellis. Apparently the government held out some encouragement of a favourable settlement if he would not press his suit. At once, he came forward with his terms,—instructions to the governor not to dismiss him without a warrant from home, the payment of his salary arrears, payment of his extraordinary expenses, and the grant of the seigniorie and forges of St. Maurice in lieu of the seigniorie promised him by Dartmouth when he first went out.³ Instead of realizing these wealthy hopes, he now suffered a fresh blow. Half the salary due him since his removal from office was ordered to be paid to the three judges who were acting in his place.⁴ Then came rumours that his old enemy Carleton was to return to Quebec as governor-general over all British North America, bringing with him William Smith to be chief justice of Quebec. This was most galling, for Livius was still chief justice of Quebec. The worst of the rumour was that it was true. There was now no hope for Livius. From this time on, he haunted Sydney, praying for a solace of £1000 a year, begging papers from his office for the trial of the long-deferred suit against Carleton, and imploring a personal interview. Apparently he could not get the support he considered necessary

¹Livius never comprehended Carleton's action. His first reaction was to suspect that it was the doing of the clique around the Governor. (C.O. 42, vol. 9, pp. 76-77.) Three years later, after much self-torture, Livius bethought him of the Dobie case. Then he carefully avoided drawing any more connection between his judgment and his dismissal, than that of time.

²*Shelburne MSS.*, vol. 66, p. 97, Reasons for my instituting a suit against Sir Guy Carleton, May 20, 1782.

³*Ibid.*, p. 100, June 12, 1782.

⁴B., vol. 52, p. 29, Treasury to Haldimand, April 19, 1784; C.O. 42, vol. 16, p. 296, Livius to Treasury, Jan. 14, 1785.

and therefore abandoned the suit in despair.¹ Not long afterwards he died,²—another victim of the injustice of this world.

A. L. BURT

¹*Ibid.*, vol. 18, pp. 22-26; *Ibid.*, vol. 19, pp. 69-73.

²July 23, 1795.

SOME AMERICAN INFLUENCES UPON THE CANADIAN FEDERATION MOVEMENT*

MUCH Canadian History can only be read aright with one eye on the United States. Especially is this true of the movement which led to the federation of the British provinces and territories in continental North America, under the British North America Act of 1867. The initial contribution made by the United States to building the Dominion of Canada came very early. It lay in a two-fold failure of the "patriots of '76". By failing to draw within the orbit of their revolt the northern fringe of colonies, they marked out the site for the future dominion. Then, by failing to reconcile to their success the party of the imperial connection within their own borders, they provided in the persons of the exiled loyalists, and later the descendants of those loyalists, an element of population with vital traditions, which, though in many respects essentially American, were yet by both conviction and prejudice strongly anti-republican. The United States, having thus unwittingly assumed the rôle of fairy-godmother to the remnant of British Empire in continental North America, has since continued to play the rôle in diverse ways, sometimes obvious, sometimes curious, and as often as not quite unintentional.

In surveying the federation movement which culminated in the establishment of a continent-wide Dominion of Canada, it would be impossible to over-emphasize the importance of the mere existence of the United States as a neighbouring federation of wide territorial extent, for as such it offered an encouraging example to those who dreamed of uniting the scattered sections in the northern half of the continent. For instance, in 1826 conditions in the United States were cited to counter the frequent objection that the provinces were geographically too separated

*This paper was read by Professor Trotter at the annual meeting of the American Historical Association at Columbus, Ohio, in December, 1923. In contributing it to the REVIEW, the author has equipped it with documentary references.

for successful political union.¹ Many of the numerous proposals to unite the colonies that were made through the years quite plainly were written with the American federal system in mind as a more or less obvious example.² And in certain features the federal system eventually adopted was shaped on lines suggested by the American constitution, notably the basing of representation in the federal lower house upon population while distributing the membership of the upper house equally to certain geographical sections.

But when this much is said, it must still be recognized that the makers of Canada's federal constitution were working primarily in the British tradition as already embodied in their own institutions. Accustomed as they were to legislative supremacy and a responsible cabinet of the British type, they built on that system as a basis. Their work as completed was avowedly intended, not to secure divergence from British institutions and precedents, but rather, following these as closely as might be, to add merely such features as the adoption of a federal system should make necessary. In their discussions over drawing up a frame of government, suggestions put forward in imitation of American constitutional machinery and methods were almost invariably turned down.³ Indeed, apart from purely federal aspects, "it is difficult," as has been well said, "to specify any point of resemblance between the government of Canada and that of the United States which is not also a point of resemblance between the former and the government of the United Kingdom."⁴

And in the fundamental problem common to all federal systems, the allocation of powers to central and local authorities respectively, United States experience prompted the fathers of Canadian federation to avoid, rather than to imitate, the principle

¹Richard John Uniacke to Lord Bathurst, London, Ap. 11, 1826, with enclosure, "Observations on the British Colonies in North America with a Proposal for the Confederation of the Whole under one Government", (Copy) Canadian Archives, C.O. 217, vol. 146, pp. 332 ff.

²Some of the early proponents were United Empire Loyalists, most notably William Smith, Chief Justice of Quebec, for whose proposal see A. Shortt and A. G. Doughty (editors), *Documents Relating to the Constitutional History of Canada, 1759-1791* (2d ed., Ottawa, 1918), pp. 1018 ff. Concerning other early schemes see the present writer's forthcoming book, *Canadian Federation, Its Origins and Achievement* (J. M. Dent and Sons).

³Joseph Pope (ed.), *Confederation: Being a Series of Hitherto Unpublished Documents Bearing on the British North America Act* (Toronto, 1895), pp. 74 ff. and *passim*.

⁴H. Jenkyns, *British Rule and Jurisdiction Beyond the Seas* (Oxford, 1902), p. 90.

of distribution embodied in the American Constitution. For to the colonial spectator of the long sectional conflict in the States that culminated in the war of secession, the root of the difficulty often seemed to lie in the wide extent and sovereign nature of the power of the states. To "states rights" he was prone to ascribe what frequently, in the early 'sixties, he considered the lamentable failure of the American federal system. This influence wrought powerfully among the provincial leaders who shaped the federation scheme for the provinces.¹ In fact, so strongly convinced were some of union's chief advocates that success could only be insured by placing control at the centre, that they even urged the elimination of the provincial governments.² A unitary system, however, was impossible, on account of sectional and racial obstacles; but the centralists succeeded in securing indubitably for the federal authority the paramount power.

Important as were the example and experience of the United States as factors in shaping the form of the Canadian federal system, when one comes to consider the influences which moved the provinces to attempt a general union of any sort, he finds American factors not less pervasive. In approaching this phase of the subject, the student soon finds that the attachment of the colonial leaders to the British form of their parliamentary institutions was no stronger than their attachment to the British connection. One finds, too, that fear of absorption by the neighbouring republic was a constant spur to provincial union throughout practically the whole growth of the federation idea. For example, so early as 1826 an attorney-general of Nova Scotia addressed to the British colonial secretary a lengthy plea for the federal union of the British colonies in North America, urging as his principal argument its necessity to insure maintenance of the British,

¹For evidence of this fact see *Parliamentary Debates on Confederation* (Quebec, 1865) pp. 33, and *passim*.

²*Ibid.*, pp. 29, 75. The writer is indebted to Mr. Clarence M. Warner of Boston for the privilege of examining an interesting volume that once belonged to John A. Macdonald, first prime minister of the Dominion and a principal leader in the federation movement's culminating stages, entitled *Secret Proceedings and Debates of the Convention Assembled at Philadelphia in the Year 1787 for the Purpose of Forming the Constitution of the United States of America* (Washington, 1836). The work evidently received a careful reading. There is considerable pencilling in the margins, and it is interesting to note that in almost every instance the passages thus emphasized are arguments for a strong central government. D'Arcy McGee, a leading associate of Macdonald's, put forth in 1865 *Notes on Federal Governments, Past and Present* (Montreal, 1865), in which, as his principal conclusion, he pointed the same moral.

connection, which he held that it would do by creating an organization capable of resisting American encroachments.¹

Twelve years later (1838), while Lord Durham was on his famous mission to investigate the causes of the Canadian revolts and make recommendations for the future government of British North America, there was acute anxiety in regard to possibilities on the frontier. Though the good-will of the executive at Washington was vouched for by Fox, the British minister, though General Scott and other high American officers were sent to the border to prevent outrages, and co-operated whole-heartedly with the authorities north of the line, nevertheless, the populace of the border States was in general so actively sympathetic with the raids which took place from American soil that there seemed to Fox grave danger lest the "rabble sovereigns", as he called them in a "private" letter, should create a state of war in spite of the good-will of the Washington authorities.² A study of Durham's papers, made available at the Canadian Archives a few months ago, furnishes conclusive evidence that not only was Durham's task of pacification made more complicated, but his search for constitutional remedies was also affected, by this situation and by the general American impression that annexation was an imminent possibility, whether with or without real

¹R. J. Uniacke, in his "Observations", *supra*, note 1. He urged that American acquisition of the provinces would make the United States an undue menace to British maritime power, and cited the recently enunciated doctrine of President Monroe as proof of the importance attached by the U.S. to European colonies in America.

²H. S. Fox to Sir John Harvey (Lt.-Gov. of New Brunswick), (Private), Washington, Feb. 28, 1838 (A.L.S.), Canadian Archives, C.O. 188, vol. 165, pp. 112 ff. "You will regret to perceive," writes Fox, "that the dangers of war upon the Canadian frontier are again and again recurring. The U.S. Authorities, as you will have seen by their published letters from Michigan and Buffalo, both civil and military, officially avow that the Govt: is now fairly mastered by armies of pirates. General Scott, and the other U.S. officers, are denounced as public enemies, by the whole American population of the frontier, and resisted as such, because they are really and conscientiously striving to do their duty. The President, and his feeble Government, have no more control over those States of the Union that have chosen to convert themselves into communities of pirates, than the Sultan at Constantinople has usually had, over the States of Algiers and Tripoli. It is clearly impossible that this state of things can be allowed to continue . . . the faults of which we have to complain, on the part of the Central Government, are faults of feebleness, and not of wilfulness; and if their rabble sovereigns should drag them into a war, to the certain destruction (I speak this advisedly), of the Republic, I believe that the President will lament and deplore it as much as any man in the Country." See also Fox to Durham (Private), June 16; No. 2, June 24; No. 4 (Confidential), Oct. 4; and (Private), Oct. 5, all A.L.S. in Canadian Archives, Durham Papers.

war.¹ American expansion into Texas was fresh in men's minds, and Durham himself expressed to the colonial secretary fear lest there might be an attempt to repeat the Texas conquest in Canada.² In his famous *Report* he held that the only way to prevent the extension of American influence over the provinces was "by raising up for the North American colonist some nationality of his own; by elevating these small and unimportant communities into a society having some objects of a national importance; and by thus giving their inhabitants a country which", he said, "they will be unwilling to see absorbed even into one more powerful".³

It was not long after this that the southern half of the Oregon territory, which, it was generally believed in the provinces, was being well secured for British rule by the activities of the Hudson's Bay Company, became the scene of rapid American colonization and passed definitely under American rule. The moral was quickly pointed in the provinces that if the Americans were not to occupy and take over more of the west it must be promptly secured for British settlement and development.⁴

Then, shortly, in 1849, Canada itself had a flurry of annexation sentiment. Its causes were temporary, partly political

¹"I am quite persuaded," wrote Fox to Harvey from Washington, Nov. 8, 1838 (A.L.S., Canadian Archives, C.O. 188, vol. 165, pp. 122 ff), "that neither the United States Government, nor any powerful or influential party in this country, is prepared to risk a war with England but all Americans are unfortunately possessed with a vague notion, that Canada is somehow or other to fall into their hands without a war.—The main difficulty is, to convince them that by the course which they are now running, they really and closely incur the risk of war."

²Durham to Glenelg, No. 84, Quebec, Oct. 16, 1838 (copy), Canadian Archives, Durham Papers.

³Sir Charles P. Lucas (ed.), *Lord Durham's Report on the Affairs of British North America* (3 vols., Oxford, 1912), vol. II, pp. 311 ff. Cf. Charles Buller's statement on this point in *ibid.*, vol. III, p. 363. Sir Colin Campbell, Lt.-Gov. of Nova Scotia, writing to Durham Sept. 4, 1838 (A.L.S., Canadian Archives, *Durham Papers*), expresses most sincere trust "that your efforts in accomplishing the Union of our American Provinces may be crowned with success, as I consider it the only means of securing the tranquility, and strengthening the connection of these flourishing Provinces with Great Britain."

⁴Though eager for a union of all the provinces, Durham was forced by circumstances to be content to recommend for the present merely a union of the two Canadas.—Lucas, *op. cit.*, vol. II, pp. 304 ff.

⁵In 1847 Robert Baldwin Sullivan pointed this moral in a lecture at the Mechanics' Institute in Toronto. It was published in the *Toronto Globe*. For a recent account of the lecture see an editorial in *Toronto Globe*, Oct. 24, 1923. Cf. M. O. Hammond, *Canadian Confederation and its Leaders* (Toronto, 1917), p. 62.

disgruntlement at the governor's consistent application of the principles of responsible cabinet government after an electoral victory for the reform party, and partly economic depression following the withdrawal of British preferences. The agitation went so far as the issue of a proclamation in favour of annexation. But opposition was vigorous. A British American League was organized to rally the forces of loyalty. The League's antidote for the annexation movement was a proposal for a federal union of the provinces. It is true that the annexation agitation of 1849 was, in part, merely a vigorous means of protesting against the *laissez-faire* trend of British economic colonial policy. In any case, the movement, whatever its real purpose, was swamped by the major sentiment of the community, a blend of attachment to the mother country and antagonism to American political ambitions, reinforced by the return of good times, with the securing of reciprocity with the United States, which removed the strongest incentive to annexation agitation.¹

At the same time, talk of "manifest destiny" was now so common in the States that it is no wonder that the loyal people in the provinces felt that they must be on their guard.² More than one colonial cited, as an indication of common ambition in the Republic, that couplet often quoted by the prophets of "manifest destiny":

"No pent up Utica contracts our powers,
The whole unbounded continent is ours."³

It became the rule for provincial leaders, when appealing to their

¹The Tory party was the most endangered by the annexation agitation. The League was in large part an attempt to salvage that party. For an exhaustive analysis of the situation see C. D. Allin and G. M. Jones, *Annexation, Preferential Trade and Reciprocity; an Outline of the Canadian Annexation Movement of 1849-50, with Special Reference to the Questions of Preferential Trade and Reciprocity* (Toronto, [1911]). See also C. D. Allin, "The British North American League, 1849," in Ontario Historical Society, *Papers and Records*, vol. XIII (1915), pp. 74-115.

²Writers on and in the provinces often interpreted "manifest destiny" talk as hostile to British rule in North America. John J. Bigsby, M.D., in *The Shoe and Canoe or Pictures of Travel in the Canadas* (2 vols., London, 1850), vol. I, p. 207, note, pointed out that "General Winfield Scott, an able and very popular officer," had, "recently bid for the Presidency of the United States by making proposals tantamount to the annexation of the Canadas". Lt.-Col. Sleight, in *Pine Forests and Hackmatack Clearings; or Travel, Life, and Adventure, in the British North American Provinces* (2nd ed., London, 1853), p. 95, quoted from Pierce's inaugural address a passage of enthusiastic advocacy of territorial expansion.

³J. A. Chisholm (ed.), *Speeches and Public Letters of Joseph Howe* (2 vols., Halifax, 1909), vol. II, p. 270. Cf. Alexander Morris, *Nova Britannia* (Toronto, 1884), p. 36.

compatriots, or presenting arguments to the British authorities, in behalf of the ideal of a unified British North America, to insist upon the necessity of union in order to ward off the possibility of absorption into the republic as a result of either economic pressure or active aggression.¹

Alexander Galt, a Canadian statesman who in some ways deserves, more than any other, to be called a "Father of Federation", held up the danger of annexation, both in his provincial legislature in 1858,² and shortly afterwards when officially urging Edward Bulwer Lytton, the British colonial secretary, to sponsor intercolonial consultation on the subject. "My deliberate opinion," he wrote to Lytton, "is that the question is simply one of Confederation with each other or of ultimate absorption in the United States, and every difficulty placed in the way of the former is an argument in favour of those who desire the latter."³

A large section of British officialdom was not at this time

¹To some minds the danger seemed distinctly of a military nature. In 1857, when delegates from the provinces were in London trying to obtain from the British Government financial backing for building an intercolonial railway to link the railways of the St. Lawrence valley with the ice-free Atlantic ports of New Brunswick and Nova Scotia, the delegates of the last-named province took pains to warn the colonial secretary at considerable length that confidence in the peaceful temper of America towards Britain was not at all securely founded. In the same despatch in which these delegates thus argued the military necessity of an intercolonial railway they also stressed the importance of the road as promoting a political union of the provinces and avoiding the tendency towards "the Approximation of all the Colonies to the United States".—J. W. Johnstone and A. G. Archibald to Labouchere, Aug. 20, 1857, copy with B.N.A. Delegates to Lytton, Oct. 26, 1858, Canadian Archives, G 158.

Canadian fears of the extension of American influence in the west were voiced by the Canadian government in the same year, in connection with the approaching British inquiry into the affairs of the Hudson's Bay Company. The instructions given to the delegate sent to represent the province at the inquiry are explicit on this point. He is to press strongly "the importance of securing the Northwest Territory against the sudden and unauthorized influx of immigration from the United States side," because of the fear "that the continued vacancy of this great tract, with a boundary not marked on the soil itself, may lead to future loss and injury both to England and to Canada". He is, accordingly, "to urge the expediency of marking out the limits, and so protecting the frontier of the lands above Lake Superior, about the Red River, and thence to the Pacific, as effectually to secure them against violent seizure or irregular settlement, until the advancing tide of Emigrants from Canada and the United Kingdom may fairly flow into them and occupy them as subjects of the Queen on behalf of the British Empire".—Minute of Council, Feb. 18, 1857, Canadian Archives, State Book R, pp. 223 ff.

²O. D. Skelton, *The Life and Times of Sir Alexander Tilloch Galt* (Toronto, 1920), p. 220.

³Nov. 22, 1858, *Ibid.*, p. 252. See also the confidential colonial office pamphlet,

impressed with any great sense of responsibility for the future of the colonies. Many leading Englishmen believed, indeed, their eventual separation from the Empire to be inevitable, and cared little into what basket the ripe fruit might fall.¹ At any given time, however, the official attitude was that the occasion for the ripe fruit to drop had not yet come. One of the least indifferent of British political leaders was the Duke of Newcastle, and even he, in the winter of 1859-60, as colonial secretary, showed no enthusiasm towards renewed Canadian proposals for federation.² But shortly he enjoyed a highly educative experience in a trip to North America with the Prince of Wales. In the provinces, advocates of union pressed their ideas upon him.³ In the United States, he encountered Seward, so soon to become secretary of state, whose conversation was not calculated to set at rest any suspicions of American aggressiveness. Newcastle went home, enthusiastic over the possibilities of British North America, and somewhat apprehensive of American encroachment upon colonial territory.⁴

The American Civil War soon contributed powerfully to bring the affairs of British North America to a crisis. After the *Trent* affair the Imperial government showed its determination not to abandon the defense of the colonies by sending some thousands of troops overseas, but it also now demanded insistently that the

Question of Federation of the British Provinces in America (November, 1858); the correspondence in Canadian Archives, G 158, G 463, and the minute of Council in State Book T, p. 105.

¹H. E. Egerton, in *Federations and Unions within the British Empire* (Oxford, 1911), p. 34, remarks that even at the time of the British North America Act, "no doubt . . . many in England in their hearts approved of it as a half-way house to peaceful independence."

²Cf. Minute of Council, Feb. 13, 1860, and annexed letter of Jan. 18, 1860, also Head to Newcastle, No. 12, Feb. 13, 1860, Canadian Archives, State Book U, pp. 650 ff, G 463, p. 351.

³E.g., P. S. Hamilton, *Letter to His Grace the Duke of Newcastle, upon a Union of the Colonies of British North America* (Halifax, 1860). In regard to the problem of defence Hamilton argued that it was little use for the British Government to throw the colonies in great measure upon their own resources for defence, as it was lately disposed to do, unless the colonies were "first placed in a position which would enable them to act with vigour and unanimity. As a single commonwealth, they could soon assume whole charge of their defence, or contribute to an equivalent extent to the defences of the whole Empire," pp. 12 ff.

⁴J. Martineau, *Life of Henry Pelham, fifth Duke of Newcastle, 1811-1864* (London, 1908), pp. 301 ff. Cf. E. W. Watkin, *Canada and the States: Recollections, 1851-1886* (London, 1887), pp. 65 ff.

provinces bear a larger share of the burden of their own defense than hitherto they had done.¹ Co-operation among the authorities of the several provinces was urged.² The home government now expressed its readiness to entertain any proposals the colonials might make for political union.³

The war situation sped on the federation cause in the provinces themselves. The lack of anything better than a poor highway for transporting troops to Canada in winter from the ice-free ports of the Maritime Provinces made more impressive the need of co-operation for building an intercolonial railway.⁴ The fear, too, already existent, of active American aggression, was now heightened, and the promoters of union played upon it skilfully and earnestly. One of the most zealously outspoken was D'Arcy McGee, in his youth a refugee from Ireland for complicity in the rebellion of '48. Now, in the press and on the platform, he rang changes on the idea that a federal union of the provinces under the Crown was "the only means to perpetuate a future connection between Great Britain and the trans-oceanic Provinces of the Empire", a connection which he believed to be in the interests of the Provinces, and to be for civilization itself "beyond all price desirable".⁵ The argument was soon advanced that,

¹Cf. D'Arcy McGee in Canada, *Parliamentary Debates on the Subject of the Confederation of the British North American Provinces*, 3d Session, 8th Provincial Parliament of Canada (Quebec, 1865), p. 129. The demand, though now more insistent than before, was not new. Hardly, in fact, had responsible government been securely established in the provinces when the British government took the position that its corollary was an assumption locally of increased responsibilities and burdens, particularly that of defence, which was then the chief part of the mother country's expense on behalf of the provinces.—Grey to Elgin, No. 568, Downing Street, Mar. 14, 1851, Canadian Archives, G 138. Much of the despatch is reproduced in Earl Grey's *Colonial Policy of Lord John Russell's Administration* (2 vols., 2nd ed., London, 1853), vol. I, pp. 258 ff. Concerning this policy cf. also *Letters and Journals of James, eighth Earl of Elgin*, ed. Theodore Walrond (London, 1872), pp. 128 ff.

²Newcastle, in a despatch to Lord Monck, the governor-general (No. 163, Aug. 21, 1862, Canadian Archives, G 168. Printed in Gt. Brit. *Parliamentary Papers*, 1862 [3061], pp. 40 ff), suggested the desirability of a uniform system of militia training and organization for the provinces if the latter could be brought to accept it.

³Newcastle to Mulgrave, N. Sc. No. 182, July 6, 1862, Nova Scotia, *Journal of Assembly*, 1863, Appendix No. 17. Also in Pope, *Confederation Documents*, pp. 303 ff.

⁴Trotter, *op. cit.*, chapter xiv.

⁵"A Plea for British American Nationality" and "A Further Plea for British American Nationality" in *British American Magazine*, vol. I, pp. 337 ff, 551 ff. (Toronto, Aug. and Oct., 1863). In the same year he lectured on the subject in the Maritime Provinces. See also his *Speeches and Addresses, Chiefly on the Subject of British American Union* (London, 1865).

should the secession states perpetuate their independence, the North, with the military power forged in the war, would seek compensation in Canada. And it was contended that this menace would be no less if the North defeated the South, for in that case the war would have destroyed the slave-holding interest which had thus far opposed the northward spread of the republic into free territory. Even should American expansion grasp only at the western part of British America, its success there would hamper the future growth of the older provinces.¹

But whether or no the alleged danger of military aggression was genuine or merely a bogey, there could be no doubt of the probability of unfavourable economic action on the part of the States. Large sections of the American community wished to abrogate the Reciprocity Treaty of 1854, some because they desired still greater freedom of trade, a *zollverein* which would foster cordial relations with British America and draw it into the economic if not into the political orbit of the republic; some because they thought reciprocity hurtful to American interests; some because they believed that by abrogating the treaty and withdrawing the bonding privilege enjoyed by provincial shippers across American soil, the colonials could be shown how dependent they really were upon United States favour. If they were driven by economic necessity to seek annexation to the Republic, so much the better. This feeling was sharpened by natural pique at the way in which Southern refugees had not only found haven beyond the international boundary, but from that vantage-ground had indulged in various outrages against the North.² The debates in congress on the question of abrogating the treaty revealed these various motives. The hints at possible annexation, whether made in friendly or unfriendly spirit, had an effect on

¹P. S. Hamilton, *Union of the Colonies of British North America; Being Three Papers upon This Subject, Originally Published between the Years 1854 and 1861* (Montreal, 1864). In the introduction, dated Halifax, October, 1864, the warning is reiterated against American aggression, likely to come unless there is union of the provinces, and liable to result in the loss of invaluable territory between Lake Superior and the Rocky Mountains, which now seems specially coveted by the Republic. See also W. H. Russell, *Canada: Its Defences, Condition, and Resources. Being a Second and Concluding Volume of "My Diary, North and South"* (Boston, 1865), p. 74. Annexation may have been a phantom, as it was characterized by L. O. David in *L'Union des deux Canadas, 1841-1867* (Montreal, 1898), p. 229, but in any case, if what people think and the truth fail to harmonize, it is often the former rather than the latter that influences the course of events.

²Notably the St. Albans raid, October, 1864.

the whole the opposite of that desired.¹ And the assumption that the provinces were perforce dependent upon American favour for economic prosperity, and could be coerced by withdrawing that favour, was used as an argument for establishing inter-provincial free trade, which would be a natural accompaniment of federation,² and for undertaking the building of an intercolonial railway, which would give relief from the necessity of using the American roads.³ American discussion at this time also served

¹In the congressional debates on abrogation the friends of reciprocity charged that its opponents were acting in a mood of irritation caused by these happenings. See debates on abrogation as reprinted in *Reciprocity Treaty of 1854* (Washington, 1911, U.S. Doc. No. 1350). Cf. *Report of the Committee on Commerce on the Reciprocity Treaty with Great Britain, together with the Treaty and Acts of Congress Relating Thereto* (Washington, 1862, H. of R., 37th Cong., 2nd Sess., Report No. 22). Motives of abrogation and the effect in the provinces of the abrogation discussion are dealt with in T. C. Blegen, "A Plan for the Union of British North America and the United States, 1866" in *Mississippi Valley Historical Review*, March, 1918, vol. IV, pp. 470 ff.

²E.g., Isaac Buchanan, a strong advocate of reciprocity, thought its loss made federation necessary.—*The British American Federation a Necessity, Its Industrial Policy also a Necessity* (Hamilton, 1865). Cf. Galt in *Parliamentary Debates on Confederation*, pp. 64 ff.

³C. J. Brydges, Managing Director of the Grand Trunk Railway and agent for the Hudson's Bay Company, wrote, Feb. 22, 1864, confidentially to James W. Taylor of Minnesota, concerning whom see Blegen, *op. cit.*, as follows: "The effect, I think, of the discussion which is taking place in Congress [on the termination of the Reciprocity Treaty] will be contrary in Canada to what is anticipated by those who are anxious for the disruption of the Treaty. It would seem to be an idea, that the course intended to be pursued of giving notice of the ending of the Treaty would of necessity drive Canada into the consideration of the question of becoming annexed to the United States. I believe that that question is farther off than ever it was, and less likely to be taken into account than at any period hitherto in the history of this Province.

"The effect I believe—on the contrary—will be a feeling that the counsels of the United States are being guided more by passion than by reason, and to make it therefore a necessity for Canada to take the necessary steps for placing herself throughout the year in a position of entire independence, as regards communication through the United States. . . .

"In the interests which I represent in this Country, I cannot but rejoice that this question of Intercolonial Railway has received so valuable an impetus. I believe it will tend largely to knit together British interests on the Continent of North America, and I now see beyond the possibility of doubt, the completion at a very early day, of an unbroken line of Railway Communication under one control and management, from the Atlantic to the Western borders of the Province of Canada."

A little over a month later, 26 March, 1864, Brydges wrote again to Taylor in much the same strain: "... the agitation which has taken place in the United States upon these subjects, has made all political parties here determined to proceed with the construction of the Intercolonial Railway.

"It is felt that it will not do to allow the rapidly growing Trade of Canada, to be subject to the caprice of Politics in your country, and that the only proper course,

to emphasize the importance of finding a speedy solution for the problem of keeping the north west under the British flag.¹

Such was the situation in regard to the influence of American policies and utterances, when, in the summer and autumn of 1864, the political leaders in British North America shaped, at successive interprovincial conferences, the scheme upon the basis of which, nearly three years later, the Dominion was established by formal act of the Imperial Parliament.² Of course there were other important forces at work; numerous problems were demanding solution, and the solution might conceivably have been sought in federation had there been no United States. But the incentive towards union that lay in these problems received in more than one case, as has been seen, added power from the course of relations with the United States and of events there, and from what was believed in the provinces to be the nature and trend of American feeling and policy. Even the strictly constitutional problem arising out of the sectional and racial rivalry in the old province of Canada between British and French was not unaffected by the propinquity of the United States. Federation proved acceptable to the French of Lower Canada chiefly for two reasons: it gave them permanently, for their racial and cultural autonomy, security against the danger inherent in the rapid growth of the neighbouring British communities, and

is to have an outlet of our own, desiring at the same time to cultivate those friendly relations with the United States, which cannot be otherwise than beneficial to the interests of both."

The writer is indebted to Mr. J. P. Pritchett for transcripts from these letters, both in the James W. Taylor Papers, in the Minnesota State Historical Library.

¹Blegen, *op. cit.* Cf. *supra*, note 28.

²While provincial leaders were assembled at Quebec, in October, 1864, in the most important of the conferences, that at which detailed bases of union were adopted, the British Deputy Director of Fortifications, Lt.-Col. Jervois, R.E., C.B., was in Canada for the purpose of affording the Canadian government information regarding measures it was desirable to adopt for defence. His recommendations were based upon a study which he had made on the ground a year earlier, supplemented by detailed examination of certain positions in Upper Canada now made in response to suggestions of the Canadian Government. The fact that he had informal interviews with several Canadian ministers just before the meeting of the Quebec Conference and that shortly after the Conference began its sessions he had a formal interview with the whole Executive Council of the province, must have added to the importance already attached by Canadian ministers to the problem of defence in its bearing upon the proposal for union of the provinces. Jervois' "Letter to the Secretary of State for War with Reference to the Defence of Canada" is printed as a British *Parliamentary Paper* for 1865 [3434].

against the scarcely less dreaded danger of possible American annexation.¹

If the American factor was important in promoting the drafting of the federation scheme of 1864, it was hardly less so in securing its acceptance. In the provincial debates on this question the argument was reiterated that the neighbouring republic made union necessary. "Our neighbours," it was said on one occasion, "will not . . . let us rest supinely, even if we could do so from other causes."² And during the two years' political struggle over endorsement of the federation scheme by the several provincial legislatures, the American situation seemed to give additional ground for such statements. Opposition to the proposals, serious in some provinces, was the more easily overcome because of the actual abrogation of reciprocity, decided upon early in 1865 and effective in 1866;³ also because of the Fenian

¹Cartier, the French-Canadian leader, argued in the Canadian Legislative Assembly in 1865 that, whatever the result of the American civil war, it "must necessarily influence our political existence. . . . The matter resolved itself into this, either we must obtain British North American Confederation or be absorbed in an American Confederation."—*Parliamentary Debates on Confederation*, p. 55.

²*Ibid.*, p. 134. McGee, summarizing motives for federation, gives this as the second, the others being: first, "in the rapids and must go on"; third, "by making the united colonies more valuable as an ally to Great Britain, we shall strengthen rather than weaken the Imperial connection".

³Decision to abrogate came before the Quebec Resolutions had been acted upon by Canada, the first province to accept them. At the Detroit Convention of business men and politicians of both the United States and the provinces, held in July, 1865, to consider the possibility of a new treaty, Potter, American consul at Montreal, stressed the annexation hopes of the abrogationists. "Now," he said, "we are ready to give you in Canada the most perfect reciprocity. We will give you complete free trade, but we ask you to come and share with us the responsibilities of our own government. . . . It is not the policy of our government . . . to continue this treaty, and I believe that in two years from the abrogation of the reciprocity treaty the people of Canada themselves will apply for admission to the United States."—Watkin, *op. cit.*, p. 422.

Joseph Howe of Nova Scotia, whose great speech in behalf of reciprocity swung the convention in its favour, spurned the idea that abrogation would induce the wish in the colonials for annexation to the States.—Chisholm, *op. cit.*, vol. II, pp. 438 ff.

A. T. Galt, Minister of Finance of the province of Canada, in the course of his budget speech delivered in the assembly, June 26, 1866, argued, in favour of certain proposed tariff changes, that adopting a course which would make Canadians independent of the U.S. was the most likely thing to bring American friends to reason and "to a sense of the commercial relations which ought to exist". The closing words of the speech are of special interest: "If there was one thing more than another, apart from the irritation growing out of the events which happened during the late war, which instigated them in abrogating the Reciprocity Treaty, it was the belief that they could compel us into a closer political alliance with them. It is therefore desirable, and indeed

raids in the latter year, which re-aroused colonial fears of active aggression;¹ and because of the discussion evoked by a bill introduced into Congress to facilitate peaceful annexation of any part of British North America.² Thus, at the final crisis in the federation movement, it was more obviously necessary than ever that, in order to insure immunity from "manifest destiny" and preserve the imperial connection, there must be political consolidation.

In the final drafting of the bill for presentation to the Imperial Parliament the effect of American relations showed itself in yet another and a less direct way. For a time it was thought to call the federation the Kingdom of Canada. Dominion was substituted after Lord Stanley, the Foreign Secretary, had expressed fear that "the first name would wound the sensibilities" of the United States.³ Whether the Dominion's present status of virtually equal partnership in the British Commonwealth would have been attained any more quickly, if the term Kingdom had been accepted then, is an interesting if profitless question.

The patriots of the American Revolution, a century and a half ago, brought forth a new nation, conceived in liberty. It is apparent that they and their successors also exercised influences of no small importance upon the evolution of the second great North American experiment in seeking liberty and union under a national federation. Each venture both gained and lost by the circumstances of its birth and development. In the one case, violent severance of the imperial tie produced a natural pride in independence that became a paramount national trait, which, however fine in itself, bred inevitably a special sense of isolation

our manifest duty to show them, not in a spirit of hostility, but certainly in that of independence, that while we value their friendship, and value their trade, we will not conform to unreasonable terms and will not have either our commercial policy or our political allegiance dictated to us by any foreign country. (Cheers.)"—*Speech of the Honorable A. T. Galt, Minister of Finance of Canada, in Introducing the Budget* (Reprinted, Ottawa, 1866), p. 30.

¹Galt, *ibid.*, p. 9, said that there was no danger beyond the Fenians to be apprehended from the United States, but that the "Fenian snake" was "scotched but not killed—that it may revive at any moment". He accordingly recommended largely increased appropriations for defence. Concerning the opportuneness of the Fenian scare in New Brunswick in connection with the struggle there for federation, see Trotter, *op. cit.*, chapter X.

²Blegen, *op. cit.*

³Joseph Pope, *Memoirs of the Rt. Hon. Sir John Alexander Macdonald, First Prime Minister of the Dominion of Canada* (2 vols., London, 1894), vol. I, p. 313.

from the world in general. In the other case, attachment to the imperial link involved the handicap of a long-continuing attitude of colonial dependence, but it also afforded a unique opportunity for realizing national aspirations without losing the sense, or the reality, of being part of a larger whole. Canada's position to-day as the senior Dominion in the British Commonwealth gives her a strongly determining influence in the shaping of that great experiment in international co-operation. It is peculiarly interesting, therefore, that to the United States should be due, in no small measure, the most striking characteristics of the present Canadian Dominion: assertive nationalism, functioning through a federal government, and, along with growing pride of independence, firm attachment to the imperial connection.

REGINALD G. TROTTER

NOTES AND DOCUMENTS

E. G. WAKEFIELD ON THE COLONIAL GARRISONS, 1851

THE question of colonial defence attracted a good deal of attention at the middle of the nineteenth century. It was felt that Britain ought to be relieved of the expense of garrisoning the self-governing colonies. Earl Grey, while Secretary of State for War and the Colonies, 1846-1852, tried with little success to bring it about. In the negotiations with the Australian and North American colonies he claimed that "self government begets self-defence."¹ The formula was convenient, but it tends to obscure the fact that practical rather than theoretical reasons were most powerful in bringing about the withdrawal of the colonial garrisons.

Lord Grey himself had decided to reduce these before responsible government was conceded.² The step was deemed necessary in order to effect a much needed strengthening of the home defences. The Duke of Wellington,³ who had long deplored the defenceless state of the British Isles, sounded a note of warning in letters to Earl Grey of Dec. 3 and 12, 1846. He showed how the demand for troops for overseas service had diminished the force at home and asked for an increase in the military establishment.⁴ The Treasury had, however, urged the strictest economy upon all the departments.⁵ Grey, therefore, in his reply to Wellington dated Dec. 21, 1846, promised to achieve the desired

¹See Earl Grey, *The Colonial Policy of Lord John Russell's Administration* (London, 1853), I, pp. 353-366; Sir Charles P. Lucas, *The Empire at War* (London, 1921-1923), I, pp. 76-79.

²*Ibid.*, p. 76.

³See Wellington to Peel, Dec. 27, 1844. *Sir Robert Peel from his Private Papers*. Edited by C. S. Parker (London, 1899), III, p. 199.

⁴Although the military establishment had been increased by 9,016 men early in 1846, the force at home had been diminished. Out of the 101,200 infantry in the British army, 39,605 were at home. 2,160 under orders to embark for and 59,435 actually in overseas service. Wellington to Grey, Dec. 12, 1846, Public Record Office, W.O., 1/558.

⁵See Treasury Minutes of Sept. 22, 1846, and Treasury to the Colonial Office, Nov. 9, 1846. C.O., 323/231.

result by reducing the colonial garrisons, and he soon took steps to effect this change.¹

The new policy met with approval both from the Manchester School and from the colonial reformers, but for different reasons. While the former were interested mainly in the saving which might thereby be effected, the latter believed it to be a necessary step towards the adoption of a sound colonial policy. This point was argued with great force by E. G. Wakefield in a Memorandum to W. E. Gladstone of March, 1851. Gladstone had by this time become a friend and advocate of colonial reform,² and it was hoped that he would support the resolution by Sir William Molesworth dealing with the colonial defence question. This was introduced and debated in the House of Commons April 10, 1851.³ Gladstone, although not present at the debate, was reported to be in favour of the resolution⁴ and when he, ten years later, appeared before the Select Committee on Colonial Military Expenditures he advocated the recall of the troops, using arguments which reveal Wakefield's influence upon him.⁵

While Wakefield, in his eagerness to win Gladstone's support, may have over-emphasized the evil effects of the imperial troops, it is worthy of notice that leading colonists in New Zealand later held that the presence of the garrisons was one of the chief causes of the Maori wars.⁶ To what extent the wars in this colony and in South Africa may be classified as "commissariat wars" is, indeed, impossible to ascertain. It should be remembered, however, that even Earl Grey had suspicions in regard to the Cape.⁷

There is a touch of unconscious irony in Wakefield's bitter

¹W.O., 1/598; see also General Sir Robert Biddulph, *Lord Cardwell at the War Office* (London, 1904), p. 39.

²Paul Knaplund, *Gladstone's Views on British Colonial Policy* in the *CANADIAN HISTORICAL REVIEW*, Dec., 1923, pp. 309-310.

³*Hansard*, third series, vol. 115, cols. 1364 ff.

⁴Statement by C. B. Adderley in the debate on Molesworth's resolution. *Ibid.*, col. 1421.

⁵*British Parliamentary Papers*, 1861, vol. XIII, No. 423, pp. 255-270.

⁶J. E. Fitzgerald of New Zealand in letters to W. E. Gladstone of September 15, 1864, and February 13, 1865, claimed that if the troops had been withdrawn there would have been no Maori war. Original MSS., Gladstone Papers, St. Deiniols Library, Hawarden. Similar views were expressed by J. S. Gorst in a letter to Arthur Mills, dated July 23, 1864. Original MS. in the possession of Col. Dudley Mills, Drokes, Beaulieu, Hants.

⁷Grey to Sir H. G. Smith, Governor at the Cape, Jan. 14, 1852. W.O., 1/446.

attack upon the military settlements, in as much as his own father seems to have been largely responsible for this experiment both in Kaffraria and in New Zealand. On August 8, 1846, the elder Wakefield, in a letter to Sidney, later Lord Herbert, called attention to the military cordon established by Prince Eugene along the Austro-Turkish frontier. Here the idea of colonization had been combined with that of defence. Wakefield claimed that this had been a success and suggested that it might be tried on the exposed colonial frontiers. This plan had also been advocated by Patrick Matthew in a book entitled *Emigration Fields* published in 1839, which Wakefield recommended as deserving of close study.

Sidney Herbert turned the letter over to Earl Grey, who wrote, September 2, 1846: "This suggestion is worth attending to, I have looked at Matthews work which contains some very sensible observatn." Wakefield was then called upon to give a more detailed description of the military settlements on the Austro-Turkish frontier, and Grey took the matter up with Wellington. But the latter proved sceptical. In a letter of December 12, 1846, he doubted whether old soldiers could be used for this purpose. They "have been discharged and pensioned from the army after due examination of their unfitness for further permanent Military Service. . . . it would in my opinion be an extremely unsafe measure to place any reliance on their performance of more active military duty, or to consider them as being in any manner constituted to form a component part of the effective military force of the Empire."¹ Notwithstanding this reply, Grey proceeded with his plan to settle pensioners in Kaffraria and in New Zealand. The experiment failed, however, in both places.²

PAUL KNAPLUND

¹W.O., 1/598.

²Sir Harry G. Smith wrote enthusiastically about the success of this experiment to Grey February 15, 1848. But his successor, Sir Geo. Cathcart, reported, May 20, 1852: "British Military pensioners have been tried in this country, have proved a failure, and in two out of three villages which were established close to the border, nearly all the male inhabitants were murdered at the opening of this war." C.O., Cape Colony, 48/283 and 326. For the results in New Zealand see Sir C. B. Adderley, *Review of the Colonial Policy of Lord John Russell's Administration and of Subsequent Colonial History* (London, 1869), p. 131. That the attempt had failed in New Zealand was also the opinion of J. R. Godley, Memorandum of September 1, 1856. Original MS. in the Gladstone Papers, *op. cit.*

[*Transcript.*]

PAPER FROM MR. E. G. WAKEFIELD ON MILITARY DEFENCE OF
COLONIES,¹ MARCH 1851

For the House of Commons and the British public, the main point of interest in the subject of Sir William Molesworth's motion, is the retrenchment of Imperial outlay. As I feel but little interest in it, and as it will be fully handled by the mover and others, I will pass on to some points of a different kind which have been strongly impressed on me by long observation and reflection. These are three in number: first, the tendency of keeping Imperial troops in a colony to make the removal of them difficult—to render their presence apparently necessary; secondly, the evils which the military occupation of a colony produces as respects the government, the political economy and the social state of the colony; thirdly, the absolute necessity of important changes of colonial policy as respects government at the same time with the adoption of the proposed Imperial policy of withdrawing the Troops.

First, we see at the Cape just now a necessity for keeping and even increasing, the Imperial troops. With a Kafir war on our hands, we *must* keep the troops there, and must add to the Ordnance and Commissariat outlay. But the war is only a seeming cause. The true cause is the keeping of the troops; the war being an effect. I put this proposition in almost paradoxical form on purpose to fix attention on it. A principal cause of the rebellion in Lower Canada was the desire of a portion of the Colonists (the British) to ride rough-shod over the other race, and to profit by Imperial expenditure, by means of a rebellion of the French. In the measures taken by the Local Government, which the British race directed, to ripen discontent into disaffection, and disaffection into revolt, a leading motive was the wish for a rebellion; a wish based on the certainty that if there were a rebellion, there would be plenty of Imperial troops and outlay. I have always believed, from the time of my first visit to Canada, that there never would have been a French rebellion if the two races had been left to settle their differences by themselves *from the beginning*: which must have been the case if we had never kept Imperial troops there. The tyrannical rule of the small minority, which provoked the rebellion, was sustained by the presence of a large Imperial force. It was nearly the same in Upper Canada,

¹Copied from the original MS., found among the Gladstone Papers at St. Deiniol's Library, Hawarden. The trustees of the papers have given their consent to the printing of this memorandum.

where the ruling party dared to provoke a rebellion, because, and only because, that party was sustained by a foreign army and the certainty of having more troops if a rebellion should come. After the revolts in both provinces, the zealous exertions of the British in Lower, and Loyalists in Upper Canada, to provoke a war with the United States,¹ were prompted by a wish to prevent the troops from being withdrawn and to keep up the immense war expenditure. In a new or poor country, where the great majority are farmers, and where, though all have a rude plenty, few have more because the demand for farming produce is low, a war expenditure by a foreign power—that is an expenditure which costs the people nothing—is of inestimable advantage; for it creates what the people most want—a ready market for the sale of their produce. It is just so at the Cape. Ever since Lord Grey's threat to withdraw the troops from South Africa, or make the colonists pay for them, I have been openly predicting to many that we should soon have another Kafir war. I firmly believe that the war was *made*; by some of the officials to avert responsible local government, and by some of the colonists to avert the stoppage of imperial expenditure. The immediate instruments of the provocation to war—such as those who have supplied the Kafirs with ammunition—may have been a very low set of people—wretches, whom we should hardly call either officials or colonists, but the custom of maintaining Imperial troops in a colony to keep down the savage Natives, *begets* this race of vermin; and when do we ever hear of their being punished by either colonists or officials?² They are like the incendiaries on the Canadian-American frontier in 1839 and 1840, whose doings were winked at and encouraged by higher classes; doings (the firing of barns and houses on the Canadian side of the line) of which the aim was to prevent the withdrawal of Imperial troops and the disbanding of the highly-paid, British-paid, corps of volunteers. Besides, who can doubt that the strange freaks of Sir Harry Smith in his dealings with the Kafirs, and of Sir Francis Head in his insulting language towards the Reformers, were encouraged by the consciousness of their having the Imperial army and treasury to rely upon? The source of all the mischief is the disconnection between the local policy of the colonial government in various matters and the physical force on which the government depends, together with the positive interest which the colony has, through a foreign out-

¹Lord Durham was of the opinion that both parties in Canada desired war with the United States. To Glenelg, August 9, 1838. C.O., Canada, 42/283.

²Sir William Molesworth, in his speech in the House of Commons, April 10, 1851, called attention to the danger of creating vested interests to which "a Kaffir or a Maori war is a godsend". *Hansard*, third series, vol. 115, col. 1400.

lay in maintaining a necessity for as many foreign troops, as the distant Imperial power can be persuaded into affording.

The same thing occurs in New Zealand, where our relations with the Natives are assiduously, not to say designedly, kept in such a state as necessitates an Imperial outlay of £300,000 a year for troops, besides ships of war. If we talked of stopping this expenditure which alone sustains Auckland as a Settlement, and which has corrupted Wellington into a sort of Auckland, there would be Native disturbances. The very Natives who profit by the military outlay, and by a foolish policy towards them which the presence of troops alone renders possible, would enter into the spirit of the thing, and would co-operate with the harpy class of Whites in blowing up a disturbance fit to scare the Governor and compel him to keep the troops in spite of his instructions to send them away. The present mode of government and Native policy in New Zealand could not be maintained without the troops; and all who are interested in maintaining both, will take care that the Imperial force shall not be withdrawn if by any means so great an injury to them can be averted. The obvious and hitherto successful means is keeping the Natives in a state to render the removal of the troops very dangerous. The evil of an Imperial force and outlay perpetuates itself by a practically logical course.

A striking illustration of this point is furnished by the Military or Pensioner villages which have been recently established in Kafir Land and in the part of New Zealand where there is a dense Native population. The cost of this colonization is Imperial; the colonization itself a mere semblance. The pretext is the expediency of a military colonization as a check upon the natives—as a defence for the other colonists against native aggression. But the Pensioner villages are utterly incapable of defending themselves. Placing them as we do, avowedly, in the most dangerous positions, we are bound to defend them by the only means in our power; and that is regular troops. There is no set of people in the world more helpless, whether for self-support by industry, or for self-defence by fighting, than these settlements of used-up soldiers with their wives and children. At the Cape, some of them have just been destroyed; in New Zealand, they would be destroyed immediately if the regular troops were not there to defend them. The planting of them looks like a device (though it certainly was not one, but only a fancy of Lord Grey's) for making it impossible to withdraw the troops without shame to England. Their effect, as a sort of military occupation, precisely resembles the military occupation by regular troops which creates a necessity for its own continuance.

There is another illustration in the Canadian feud of parties which

led to the burning of the Parliament House at Montreal. It is hard to believe that the party in power would have provoked the Outs as they did, if they had not felt themselves to be supported by a great foreign force. But then people say—"In such an uproarious country as Canada, we must keep troops to keep the peace; to prevent the parties from engaging in war". Nonsense; the presence of the troops is a main cause of the uproariousness. The local parties would be heedful and moderate, rather than reckless and violent, if there were no foreign troops to strike an unnatural balance between them. Suppose for a moment that we had two or three hundred thousand foreign troops kept in England and supporting the party that happened to be in power: Should we not soon be in a state to render the presence of the foreign troops "necessary"? Nay, would there not be a host of contractors and hangers-on of the foreign army deeply interested in keeping the troops here if they were paid for by a foreign power? If the imagination is exerted to picture the scene, England is perceived brought into the state of one of our colonies in which the proportion of foreign troops to the inhabitants is greater than two or three hundred thousand to the population of this country. Think of the baneful influence of a foreign outlay of twenty or thirty millions a year in corrupting our people into a sort of colonists, desirous of keeping the foreign force, and bent on keeping it by keeping the country hot enough to make it "necessary", England would be on a greater scale what New Zealand is as respects the necessity of keeping foreign troops there.

Secondly, in the foregoing remarks, I have confined myself to the tendency of colonial military occupation to perpetuate itself. The evils which it produces by its influence on government, and by teaching the colonists to prefer dependence, idleness, and extravagance, to self-reliance, industry, and thrift, is altogether a different question, into which I shall not enter except for the purpose of making a few general observations.

It seems to me as impossible that there should be really local, truly responsible, government in a colony whilst an Imperial force is kept there for internal purposes, as that England should have such government if we had a large foreign force kept here on foreign pay with our own full consent. Therefore, if, as I hear that Sir Wm. Molesworth intends to propose, garrisons were kept at Quebec, Cape Town, Auckland, etc., it would be necessary to confine their employment to defence against a power at war with the empire. If they were employed for any internal purpose, such as the suppression of riots, or the keeping down of Natives, it would be a question of mere numbers, and the evil principle would remain in full force. In order to establish the good principle,

it is indispensable that Imperial troops, when employed for *any* international purpose, should be paid for by the colony. In that case they would never be so employed; the purpose for which to employ them would be carefully averted.

With respect to the mischief working effects of Imperial troops, as respects government and colonization, more especially in countries where there is a difficult Native question to handle, I will refer to only one case by way of illustration. It is that of New Zealand. Here government has the very worst form—that of the purest bureaucracy. Free institutions are avowedly sacrificed to a Native policy which wholly depends on the presence of a large Imperial force. Colonization is nothing, except through the accidental vigour of the Canterbury Association. By a large foreign expenditure, the settlers are corrupted into lazy and servile dependents of the miserable government. A high-minded man like Mr. Godley is ashamed of the doings of England in her youngest colony. Now, none of these evils would have happened if we had never sent Imperial troops to the colony. The part of the Islands densely inhabited by Natives would have been avoided by the colonists and the Government. The colonists would have had representative institutions. The inducements to emigration would have been very great. There would have been no corruption of the Settlers by a military outlay, and by the outlay of a revenue mainly derived from taxation of the military outlay. Mr. Godley would have painted a very different picture. I assert that if a Hume-Cobden imperial policy had prevailed at the time when the Troops were sent to New Zealand, all the main evils of New Zealand colonization, which the British Government will one day be heavily tasked to remedy, would have been avoided. I never thought to say as much for the Manchester School.

Thirdly, it strikes me forcibly, that at the same time when all the troops were withdrawn from such colonies as the Cape and New Zealand, something more ought to be done by the Imperial power than is expressed by Sir W. Molesworth's second Resolution. The state of the Native question in these two colonies has been the work of the Imperial Government. To take away the troops without first establishing a new Native policy which might be maintained without troops, would be a monstrous cruelty towards the Settlers in some parts of these countries. What, for example, should be done with the Pensioner Villages which the Imperial Government, with its own single hand, has planted in the most dangerous positions? I am convinced that if they were left in New Zealand without troops to defend them, they would be swept away by the Natives for the purpose of compelling the Imperial Government to restore the military occupation and the Commissariat

outlay. What again is to be done with that absurd policy, which has destroyed the authority of the chiefs in the North of New Zealand without establishing any other save military force? The Imperial Government has cultivated a war of races, which is prevented from breaking out by nothing but the regiments, the ships of war, and the Commissary's expenditure; and by a deliberate process the Settlers have also been rendered feeble for self-defence, as well as deprived of all influence with the Natives which their natural superiority would long ago have established if they had been left to judge and act for themselves as respects their relations with the Natives. Are they to be merely deserted by the Imperial Power which has brought them into this mess? These questions point to the necessity of sending both to the Cape and to New Zealand a dignified, experienced, unshackled, Imperial authority, for the purpose of devising and establishing a new system of relations with the Natives based on the principle of no military occupation. And probably, the removal of troops from Canada, except for the mere purpose of Imperial garrisons, would be facilitated if *at the same time* all questions between the colony and the mother-country, such as the Civil List and the Imperial Veto, were thoroughly and finally disposed of.

THE ANNEXATION MOVEMENT, 1849-50

Most Canadians have probably heard vaguely about the annexation movement of 1849, and a certain number have read the manifesto issued at that time by an organization which styled itself the Annexation Association of Montreal.¹ Few people to-day, however, it is fair to suppose, have any idea of the latent strength of the annexation sentiment that existed in the two Canadas prior to Confederation, which was due partly to political discontents, but more particularly to an acute economic depression. Suggestive light is thrown upon this incident in Canadian history by a series of original documents, just come to light, which formed a part of the records of the Association referred to above.

On the death in 1881, of the Hon. E. Goff Penny, editor of

¹See Egerton and Grant, *Canadian constitutional development* (London, 1907), pp. 336-343, and Allin and Jones, *Annexation, preferential trade and reciprocity* (Toronto and London, 1911), pp. 106-114.

the Montreal *Herald*,¹ the documents in question were found among his personal papers and passed into the possession of his only son, Mr. E. Goff Penny, formerly member of parliament for St. Lawrence division, Montreal. Filed away, they were lost sight of until May last when Mr. Penny rediscovered them while going over some old papers and sent them to his only surviving son, Mr. Arthur G. Penny, managing editor of the Quebec *Chronicle*, by whom they have been transcribed and communicated to this REVIEW. From the correspondence, it can be seen that the Hon. Mr. Penny held a position as clerk to the secretaries of the Montreal Annexation Association,² a fact which sufficiently explains how the documents came to be among his papers. After the movement in favour of political union with the United States had proved abortive the Association was dissolved and its records were of no further use, nor is it likely that any of its members were over-anxious to hold them.

The Hon. Mr. Penny, under whose direction the Montreal *Herald* reached the height of its prosperity and influence, and who occupied in Lower Canada a position scarcely inferior to that of George Brown of the Toronto *Globe* in Upper Canada as a defender of the Liberal faith, was born at Hornsey, outside of London, England, in the year 1821. On attaining his majority in 1842, Mr. Penny emigrated to Canada and, coming to Montreal, passed the *Herald* office outside of which he saw a notice advertising for a short-hand reporter in English and French. Going inside, he applied for the position and, although obliged to admit that he knew no French, asserted that he would soon learn the language if given a trial. Accordingly, the future editor was accepted on the *Herald* staff and, true to his word, went to live with a family named Mongeau at Longueuil with the result that he was able to speak French with reasonable facility in six months' time. Mr. Penny was for some time parliamentary correspondent of the *Herald*, and was the first president of the Press Gallery. In 1848, only six years after joining the paper and while still in his twenties, Mr. Penny was admitted to partnership by the late

¹The Montreal *Herald* was the most active annexationist newspaper. (See Allin and Jones, *op. cit.*, p. 395.)

²The officers of the Montreal Annexation Association, which was the headquarters of the movement, were: president, John Redpath; vice-presidents, John D. Torrance, J. De Witt, L. H. Holton, W. Workman, D. E. Papineau, P. Drumgoole, F. B. Anderson; councillors, H. Stephens, W. Molson, D. Kinnear, J. Rose, J. Papin, J. Bell, R. Laflamme, J. Ostell; treasurer, D. Torrance; secretaries, R. McKay, A. A. Dorion.

David Kinnear, together with A. W. Wilson, the business manager, and James Stewart, the commercial editor. Upon Mr. Kinnear's death the *Herald* became the property of Penny, Wilson & Co. Concurrently with his newspaper duties, Mr. Penny served as an articled clerk in a Montreal law firm and was admitted to the bar although he never practised. As we have seen, he was connected with the Annexation Association in a clerical capacity and it is probable that he played an important part in drafting the famous manifesto and also the literature referred to in the correspondence. Mr. Penny married Eleanor Smith of Montreal in 1857, and in 1872 he was appointed to the Senate in recognition of distinguished party services. The *Herald* then became a joint stock company of which he remained president and editor until his death in 1881, at the comparatively early age of sixty.

[*Transcript.*]

1. From H. B. Wilson¹ to Robert McKay, Secretary of the Annexation Association

Letus Hotel, Friday morning, 23 Nov., 1849.

DEAR SIR

After giving due consideration to the proposition of the Committee of the Annexation Association to advance me the sum of £125 towards establishing the *Independent* newspaper, I beg to say that I would gladly accept the offer and give the required guarantee to carry the paper on, if I felt certain that I could do so. In naming the sum of £250

¹R. B. Wilson, a prominent Tory of the Hamilton district, was a son of the Hon. John Wilson, formerly speaker of the Upper Canada Assembly. In September, 1849, R. B. Wilson founded at Toronto the *Canadian Independent*, "to promote by peaceable means separation from the mother country". Although immediate annexation with the United States was not a necessary part of his policy, he was induced by the Montreal Association to take up their cause. He had been an active member of the British American League (Ontario Historical Society, *Papers and Records*, vol. 13, p. 74, *The British American League, 1849*, by C. D. Allin), which at first included several leaders of the Annexation Association. These gradually withdrew, after trying in vain to win over the League to their policy. Wilson resigned from the League in September in order to devote himself to editing the *Independent*. He became the leader of the annexation movement in Canada West, he was corresponding secretary of the Toronto branch, and probably drew up their Address to the people of Canada, in February, 1850. At the end of April the *Independent* ceased publication, because it could not command enough support in Canada West. (See Allin and Jones, *op. cit.*, and Dent, *The last forty years: Canada since the Union of 1841*, Toronto, 1881.)

in the letter I addressed Mr. Holton¹ shortly before I left Toronto I can assure the Committee that I did so under a strong desire not to ask for any more than was necessary to insure complete success to the undertaking—having in view at the time any smaller advances I might obtain from other quarters—Mr. E. Jackson of Hamilton had given me an assurance that £50 could be raised in that city—This since I am just advised has dwindled down to £8 15s. 0d.

The £250 I require would wipe off all the preliminary charges and liabilities connected with the establishment of the office and I can now count upon receipts of subscriptions and for advertisements to pay current expenses—With that sum the *Independent* I think would be as well established as any paper in Toronto and the feeling of being placed beyond the chance of failure would enable me to devote myself more effectually to the advocacy of the cause—In the present temper of the public mind in Toronto it would be perfectly useless to make any further efforts to obtain aid there—Under the circumstances it appears to me that the true policy of the Committee would be to advance me an adequate sum, if they think my paper will promote the interests of the new party or to withhold their support altogether and not risk a useless advance of money—

I do not make any claim upon the party here from personal considerations—If however they may consider that I have already served the cause which I have stood forward single handed and alone to sustain in Upper Canada, for the last eight months and long before it had gained head in Lower Canada, or if they think I can render good service to it for the future, they should not allow me to struggle against difficulties which the small sum I require would effectually remove.

I have commenced with a favourable prestige as regards political antecedents, never having been closely allied to either of the old parties or been known as a politician—As yet my paper is the only one in Upper Canada, if not in the Province that has taken up the subject free from all political bias of a party nature and upon broad grounds of national necessity—There is therefore a broad distinction between my position and that of journals whose whole course of existence has been in close alliance with the opposing parties which have so long distracted the Province—Many of these journals may be counted upon before six months without the necessity of subsidizing them—The policy of buying open enemies at the expense of one's friends I have always considered a doubtful one if not bad morality—The cause of Canadian

¹Luther Hamilton Holton, one of the vice-presidents of the Montreal Annexation Association, and a member of the *Parti Rouge*.

independence is of such a nature that it must stand or fall upon its own intrinsic merits—I have taken it up, deeply imbued with the conviction that the interests of my native country would be greatly benefited by its consummation and if the Committee conceived that by giving me effectual support I can benefit the cause I shall devote myself wholly to its advocacy—If otherwise I shall have to determine on my return home whether prudence and a desire to act justly by all men will not constrain me to discontinue the publication of the *Independent*, before the matter shall become more complicated—

Very Respectfully Yours,
H. B. WILSON

Robt. McKay, Esq.,
Secy. Annexation Asson.

2. *From I. Lewis Macdonald to Robert McKay*

Gananoque, Nov. 24, 1849.

DEAR SIR,

[Encloses £5 to pay for publications in favour of annexation, to be distributed by him among the farmers.]

Although you hear but little said in C. W. on the subject yet I am confident the cause is daily gaining strength among all classes, the more they think on the subject the more they are convinsd that nothing but Anexation can be of any permanent service to the Country.

I am,

Respectfully,

Your Ob St,

I. LEWIS MACDONALD

Robert MacKay, Esq.,
Montreal.

3. *From Jacob Keefer¹ to Robert McKay*

Thorold, Dec. 4th, 1849.

SIR,

There is a small newspaper in this village called the *Thorold Advocate* which is little more than one quarter old and has a circulation of about 350—It is owned and published by Mr. Abm. Dinsmore, a worthy man, more of the *printer* than the *Editor*, poor, and with a family—At commencement he placed his Editorial department in the hands of Doct. Rolls, a gentleman of leasure, a supporter of the Administration and

¹J. Keefer, of Thorold, had advocated reciprocity in a letter to Mr. Merritt of April 19, 1848.

who follows his leader in discountenancing *annexation*, or I should rather say perhaps that he considers *neutrality* the best policy—The Doctor, however, does not assist the poor man with any pecuniary ammunition which he seriously feels the want of, and without which, from some quarter, the *Advocate* will in my opinion be short-lived—Mr. Dinsmore's own feelings are in favor of the Annexation movement and would turn his press to further it if he knew how to do so without risk of making his case worse and if the Montreal Association choose, I feel myself quite clear in saying they may have Mr. D's. and his press' services to further their objects upon equitable terms—

If it were in my own power to sustain Mr. D. I would do so with alacrity but that is out of the question, it only requires that Canada remains a Colony, and in its present condition a year or two longer to effect my complete ruin—So satisfied was I that Canada under Gt. Britain's altered commercial policy could not prosper as a *Colony* that in April 1848 I wrote to the Hon. R. Baldwin¹ and pointed out to him, as well as I knew how, that *Annexation* was the remedy, and have done the same with Mr. Merritt² both by letter and in conversation but these gentlemen conceive it to be their business to *govern* Canada and not to encourage its separation from British rule—I have a great respect for *conscientious scruples*—whether those gentlemen have them or not I cannot say, but I believe many very good people have—they have a lively recollection of the troubles incurred in '37 & '38 by some folk on account of their not being sufficiently loyal to the Powers that *were*, and think they are called upon to consent to and be satisfied with whatsoever their governors do. Nevertheless, I firmly believe public opinion is in *advance* of the press in this matter—Annexation has no organ here, but I am sure that there are intelligent and influential men—those most deeply concerned in the trade and Commerce of the Country, in favor of it. I send you a number of the paper I have referred to of 22d. Ult. in which is a communication I furnished under the signature *Nemo*. Mr. D. has desired me to give him further articles but I feel

¹Robert Baldwin, then attorney-general for Upper Canada, and one of the joint leaders of the ministry. On October 18 he declared his opposition to annexation in an open letter to Peter Perry (Jones and Allin, *op. cit.*, p. 143), a candidate in the bye-election for the third riding of York, who was thought to be an annexationist. On May 27 Baldwin moved in the Assembly against the reception of Colonel Prince's petition in favour of independence, and was upheld by a vote of 57 to 7.

²William Hamilton Merritt, member of parliament for North Lincoln and president of the council in the second Baldwin-Lafontaine government until March, 1850, when he became chief commissioner of public works. He had advocated reciprocity in 1848, and was sent in 1850 by Lord Elgin on a mission to Washington to win over the United States senators to the idea of reciprocal trade.

rather reluctant to do so while it remains under its present supervisor and retains its neutral character.

Perhaps I have said enough to introduce my subject, and after it has had consideration I shall be happy to hear from you—

I am

Sir

Your mo Obdt. Servt.

JACOB KEEFER

Robert McKay, Esq.,

One of the Secs. Montreal Annex. Asson.,
Montreal.

4. *From Thomas Lloyd to Edward Goff Penny*

The Falls, Inverness, 11th December, 1849.

[Acknowledges receipt of communication, and declines to enter into further correspondence with a secretary's clerk.]

5. *From A. Dufresne to A. A. Dorion¹*

St. Athanase, 5 Dec., 1849.

Translated.

SIR,

As you are one of the Secretaries of the Annexation Association of Montreal. I must inform you that we have held to-day a numerously attended meeting in favor of Annexation and that the Montreal Manifesto has been unanimously adopted. It was only a parish meeting pending the County meeting which is to be held in the immediate future.

I am Sir

Your very obedient Servant

A. DUFRESNE Secy. of the Meeting

A. A. Dorion, Esq.

6. *From John Yule, Jr. to Edward Goff Penny*

Chambly, 11th Decr., 1849.

[In reply to a letter of Dec. 9th, offers his services in distributing circulars.]

¹Antoine Aimé Dorion, one of the secretaries of the Montreal Annexation Association, and a founder of the *Parti Rouge*.

7. *From Sydney Bellingham¹ to Robert McKay**12 Decber, 1849.*

SIR

I desire to call the attention of the Association to a locality where their manifesto would meet a ready response.

Between the head waters of the Etchemin and the Chaudiere, striking a line across the Country two leagues to the South of Quebec, you may perceive several townships, such as Buckland, Frampton, etc.

They are inhabited by a mixed race from the British Isles, they number many thousands—yet hitherto they have been excluded from political existence, because the Counties are so laid out that they cannot elect a member of their own origin.

The Country resembles the hilly districts of Vermont and Maine—the soil is fertile—even on the summits of moderate mountains excellent crops are raised—The population are grievously discontented, because the Government have not afforded them any aid to open a road to the United States not many leagues distant from the settlement—and the only market they now have is Quebec—while the Journey thither is impracticable for several months each year.

It is highly important that a country thus politically situated should be organized and the farmers instructed as to the course which the Montreal Association may recommend—

I shall be happy to furnish any information upon this subject which I possess

Your Obt Servt

SYDNEY BELLINGHAM

To the Secretary of the Annexation Assn.

8. *From George Crawford² [to Robert McKay]**Brockville, 18th Decr., 1849.*

SIR

I received your letter some time ago and delayed answering it till I could learn who would be the proper persons to send packages of the Annexation addresses to in this part of the country.

¹Sydney Bellingham had been *pro tempore* secretary of the organization committee of the Association in Montreal. He brought out, on June 29, 1849, a prospectus for a separationist newspaper which, although the paper was never published, became a campaign document of the Annexation Association. It was said that he later made a trip to New York to solicit subscriptions for the movement.

²Mr. Crawford of Brockville was one of the annexationist members of the British American League. He was present at the Toronto convention of that body in November, 1849, which voted decisively against the annexation movement after a stormy debate.

I will of course distribute them in this Town and neighborhood and you may send a package to each of the following persons Richard Coleman Jnr. Colemans Corners, Palmer Lee of Elizabeth town, John Denny of Newborough, Doctor Schofield of Beverly, Fredk Jones Yonge Mills, Mrs. Vanson of Vansons Mills, and Thos Muir of Brockville.

The annexation movement is progressing slowly but surely in this part of the country and I have no doubt but a large number of the old Reformers would declare in favor of it only for the fear of injuring the present Ministry this and this alone keeps numbers of them back but they are gradually throwing aside this clog and numbers of them do not hesitate to speak their mind freely in favor of the movement another reason why some of them are not inclined openly to declare themselves is they are afraid that myself for instance and those of the old Tory party that are in favor of annexation are not honest in the matter and that if they enlisted with us in the cause and that the late Ministry came into power again we would desert them however these prejudices will I think disappear as the movement progresses and as the apparent benefits of its consumation is more clearly pointed out to them—I and several other friends of the cause look with a good deal of interest for the production of the documents you mention and I have no doubt of many converts being made by them.

If Gowan¹ would come out in favor of the Annexation movement he would carry a large number with him. It is my opinion that he is privately in favor of it now but he is waiting to see how things will turn out at all events he will have to declare himself before the next Election as the Annexationists here are determined to set up a candidate supporting their views as soon as an opportunity may offer

On the whole I think the thing is in a fair and I may say prosperous state and I have no doubt of a large increase to the number of those who will be in favor of a peaceable separation from the Mother Country before another year goes over our heads in this part of Canada

If you send the packages all to me I will send them to the different parties

I am Sir your obt. svt.

GEORGE CRAWFORD

¹Ogle R. Gowan, then of Brockville, was an Irishman by birth. He emigrated to Upper Canada in 1829 and settled in Escott Park, Leeds county. For twenty years he was grand master of the Orange lodges in British North America. He was the author of a pamphlet, *Responsible or parliamentary government* (Toronto, 1830), a conservative, and an active loyalist of 1837. He edited the *Statesman* of Brockville. In 1844 he became member of parliament for Leeds and one of the strongest supporters of Metcalfe's administration. In the election of December, 1847 to January, 1848, he

Since writing the above Mr. Wm. McDonald of Gananoque has been here—he says if a package is sent to him he will give them an extensive circulation in his neighborhood he is a thoroughgoing annexationist—

9. *From H. B. Wilson to Robert McKay*
Independent Office, Toronto, 19 Dec., 1849.

DEAR SIR

I have just returned from a tour to the County of Norfolk which it was believed would shortly become vacant in its representation, by the elevation of H. J. Boulton¹ to the Bench. Since the developments recently made of this gentleman's professional conduct in a Suit in Chancery the chances seem to be against his appointment—As far as I have been able to get at the facts, it appears that he had received a notification of his elevation to the Bench, but the commission not having issued the Ministry have made the facts elicited in the Court of Chancery their excuse for asking him to cancel their engagement to him—He has however peremptorily refused to comply—How it will be settled it is impossible at present to say—It will nevertheless be of interest to your association to know the result of my visit and I beg to give it briefly

At Hamilton I spent two days on my way up to see whether an organization would be practicable in that city at present. There, as in most parts of Upper Canada, I found no man sufficiently leading in either of the old parties, willing to put himself forward, though a number of the merchants and nearly all the large landed proprietors are annexationists and about 100 copies of my paper are taken in the City—Mr. Tiffany, the leader of the reform party, is secretly favorable, but being an American by birth, declines to move in it on that account. On my return however I saw a Mr. Carpenter a Canadian by birth, and a man of intelligence and some influence with the mechanics, who he assures me, are to a considerable extent favorable to the movement and he says that he will make a beginning as soon as we organize here—He will have strong supporters in the Messrs E. & T. Stinson, large landed proprietors—and some others

At Brantford there are many annexationists, but the leading Minis-

was defeated, and remained out of parliament for ten years. After the signature of the Rebellion Losses Bill he proposed that Lord Elgin should be impeached in the House of Lords. He was an active member of the British American League.

¹Henry John Boulton, once a member of the Family Compact, but an adherent of Baldwin and Lafontaine since their contest with Metcalfe in 1844. He was refused the appointment to the vacant judgeship, and went over to the Opposition, but did not become an annexationist, although he supported the motion of Colonel Prince in favour of independence (*supra*, note 6).

terialists are looking out for the offices of the new District they expect to get next Session, and of course throw every obstruction in the way. The farmers are made to believe that the Ministry have got the promise of reciprocal free trade with the States from the General Govt. I am therefore of opinion that but little progress can be made in the Gore District till they are disabused on this point—

In the County of Norfolk I found a strong feeling in favor of annexation amongst both the old parties but nothing approaching a fusion—Each party is suspicious of the other and many of the leaders do all they can to foment disunion. The reform party however is completely split up and by far the greater proportion of it strongly opposed to the Government—Boulton wrote to several of the leaders of the party desiring them to bring George Browne of the *Globe*¹ or Dr Connor² out on the reform interest, upon his retirement but no one dare even to make a promise to favor either of them—I met Mr. T. Waters and A. Buckwell, leading Conservatives at Port Dover, who would support Dr Rolph,³ or any other man, of either party, who might have a fair chance on our Ticket—They told me that nearly every man at that place was an annexationist—At Simcoe I saw Dr. Parke, Mr. W. Graham, Barrister, and about a dozen other respectable men of our party who would support Rolph. They informed me that both the *Globe & Spectator*,⁴ which had a large circulation in Norfolk, were losing ground rapidly and I saw myself over 100 copies of the former paper being an accumulation of papers sent to about 20 subscribers, put up in the Oakland P.O. to be sent to the dead letter office—

Whilst speaking of this I may mention that I have sustained very serious injury by the *rascality* of many of the Post Masters of the Minis-

¹George Brown, through his paper, the *Toronto Globe*, was the most powerful opponent of annexation in Canada West. The *Globe* supported the Baldwin-Lafontaine ministry throughout the agitation: George Brown had not yet allied himself with the Clear Grits.

²Dr. Skeffington Connor, member for South Oxford, and later solicitor-general for Canada West in the Brown-Dorion ministry.

³Dr. John Rolph, an Englishman who emigrated to Canada, settled in the county of Norfolk and moved finally to Little York in 1832. He was a rebel leader in 1837, escaped to the United States, and returned in 1844 to Toronto under the amnesty. In 1849 he opposed the administration as one of the more violent of the Clear Grits, but he did not openly advocate annexation to the United States. He later became member of parliament for Norfolk and commissioner of crown lands in the Hincks-Morin ministry.

⁴The *Hamilton Spectator*, a Tory organ, had hinted at a danger of separation after the signing of the Rebellion Losses Bill, but after the circulation of the Annexation Manifesto it disavowed all connection with the movement, and became an advocate of the programme of the British American League.

terial school—At one Post Office where I sent some 15 copies of the *Independent* which were at first taken out, the whole were returned at the 4th number and the parties informed that the paper was not sent—I found three of these parties and took one of them to the Post Master and asked him if he had authorized the paper to be returned and upon his stating that he had not, the P.M. got confused and called in his son, and laid the blame on him—There is no use of bringing the subject under the notice of Government at present and I have thought it best to get vigilant agents to look after these things on the spot—I am inclined to think that these Ministerial tools have taken their instructions from the *Globe* office—I state these facts merely to let the Association know what dishonest practices are resorted to by the tools of the Ministry to injure the circulation of my paper in this quarter, and the difficulties I have to encounter

I had an interview with Dr. Dunscombe who is secretly in our favor, but could not draw him out as to whom he would give his support. He said he would not be a candidate himself if an election came off before the regular time. If an election should ensue this winter, a strong effort will be made to carry an annexationist, which I think will be certain two years hence—

My visit to Norfolk, I think will be attended with good results in confirming the wavering and inducing those already favorable to lay aside old party distinctions—If my paper were well established I would devote much time this winter to visiting other parts of the Country to set things in motion—I have placed about 150 copies of my paper in the hands of my agents for free distribution for a time to parties who take the *Globe* and will only take one paper in order to induce them hereafter to become subscribers. Meantime the amount of organization here devolves a very heavy amount of labor upon me, being at present the only party looked to as openly supporting the party—Whilst the *Examiner*¹ and *Mirror*² pursue a vacillating course it will be difficult to organize in this city and I have hitherto doubted the propriety of attempting it, lest it should prove a failure—As yet I have made but little impression on the city though there is a pretty

¹The *Toronto Examiner*, founded by Francis Hincks in 1838 as a weekly paper in support of responsible government, was the chief organ of the Reform party until 1844, when the *Globe* began to supersede it. It was the journal of the Clear Grits until 1850, when the *North American* was founded because the *Examiner* was not sufficiently radical for the leaders of that party.

²The *Toronto Mirror*, a radical Irish Catholic journal, was known as quasi-annexationist, because it advocated independence, and regarded annexation as an inevitable event of the future, which, however, should not be unduly hastened by agitation in Canada.

fair sprinkle of annexationists in it. We shall shortly have a meeting of a few of the most respectable annexationists to consider the propriety of forming an association.

If you think it worth while you can lay this communication before your Committee for their private information and inform them that should they think it desirable, I would be glad to carry out my suggestion to travel extensively through the country to stir up the people to organize—There is a splendid field for operations amongst our farmers, but a great lack of laborers and capital to cultivate it—Please inform Mr. Penny that I have attended promptly to his request to distribute the circulars he sent me—and believe me

Your very det servt.

H. B. WILSON

Robert McKay, Esq.,
Secy. Annexn Assn, Montreal.

10. *From Alonzo Wood to Edward Goff Penny*

Shefford, 21st December, 1849.

SIR

I have the honor to acknowledge the receipt of your note of the 14th Inst also a package of the Montreal Anexation Address with a request that I would circulate them, that I have done, you also request that I should give you information that would aid the movement. I have not as yet taken a prominent part in the movement but have discussed the advantages likely to result from it. As I am a Native of Canada and attached to British Institutions it is hard to adopt a Republican form of Government—I am compelled under the present State of our political affairs of Canada to admit that a change must take place. In the first place a retrenchment of the Public expenditure would for a time relieve us but this I have long since given up hope of. Second under a Vice Royalty of the five Provinces with the Provincial Debt upon us and of meeting the expenses of the Military and a Marine force necessary to be kept up I fear the Provinces could not prosper under it. If the Home Government would allow us the right of Separation and the United States of America would receive us into the Union on fair and honorable terms (of which I have but little doubt) I think the Provinces would be bettered by the change. When we look to the History of Canada for the past thirty three years and find that we have had no less than twenty two Governors with the expense attached to these Gentlemen by way of salaries and contingent expenses and then our Responsible Government without any written definition of the term *Responsible* and look and see the power given to the Members of the

Legislative Assembly and see how they expend the People's money and the Governor General increasing the number of the Legislative Council. And the cost to the Province of publishing the Acts of Parliament in both languages (French and English) the appropriation of the Jesuit Estates and withholding the School Money from the Country will at once show to those that have not *closely observed* the state of the Political Interest of Canada that a change must take place, again in the Township Counties we feel particularly the County of Shefford Missisquoi and a part of Stanstead that when we ask as our rights the permission to have the Judicature Act extended to us and allow us to do our business Civil and Criminal without being compelled to go a distance of from 100 miles and upwards in some cases to attend to our local affairs this the people feel a great hardship and a wrong. I think that the people of Canada if shown the cost of the present Government the appropriation of the Public funds the State of our Provincial acts that the French Laws are daily growing upon us and that the Elective Franchise as you will see by the last act of Parliament in the amendment of the Election law in relation to the Promisse Devant without an additional oath to the Electors is a base subterfuge by the French party. Many in this County at this moment are uninformed upon the true Interest of Canada and the first step is in my opinion to inform them upon the various points touching their true interest, I would suggest that gentlemen from Montreal visit the County of Shefford and hold meetings in all of the Townships in the County and as we are many of French origin and it is *particularly* advisable that they should be addressed and informed upon the matter before another General Election, I should advise the Association to meet them first in North Stukely then in Botton, West Farnham, Roxton and Milton, Mr. Workman would be one that could do much in this County, we shall have all of those that think it a great honor to hold a Magistrate's Commission or Captain of Militia to oppose us. I hold a Commission under the former Administration and also a Commission as Captain, I shall not hesitate to speak and act as my conscience directs me and they can dismiss me if they choose.

Edward Goff Penny Esq.,
Assist Secretary,
Annexation
Society,

I have the honor to be
Sir
Your Most Obedt. Servt.

ALONZO WOOD

N.B. A French gentleman would do more with the French than any other person, he must show why the french Priests are against annexation it will require some little time to stir up this County and now is the time to make the moove Drummond and many of his sup-

porters are doing all they can in this County to discourage the movement I look upon this County as a very important point to gain in favour of the Annexation movement, it has been and still is a very Loyal County and those that have been the most loyal and true are now the first to adopt annexation.

A. W.

11. *W. McGinnis [to Edward Goff Penny]*

Christieville, Decr. 24, 1849.

[Acknowledges the receipt of packages: he will distribute the parcels throughout his neighborhood and in some of the Eastern Townships: is particularly anxious to have the French copies distributed as soon as possible.]

12. *John H. Greer to Edward Goff Penny*

Kingston, 24th Decr., /49.

[In reply to a letter of the 14th, states that he cannot enter upon the duties which the Association requires of him.]

13. *W. H. Ward to Edward McKay and A. A. Dorion*

Thorold, December 24, 1849.

GENTLEMEN:

[A long account of his own political opinions.]

Mr. Keefer & I stand alone here in favor of Anexation—but we are trying all we can to induce others to fall in the wake already started & hope by good councils to win some of the wary

Messrs. MacKay & Dorion
Montreal

I am Gentlemen

Your Obt. Svt.

W. H. WARD

14. *From H. B. Wilson to John Redpath*

Private.

Independent Office, Toronto, 26th Decr., 1849.

MY DEAR SIR,

After the conversation I had with you and Mr. MacKay at his office respecting the circumstances of my newspaper enterprise and the extent of aid required to sustain it through the period that all such enterprises have to pass, before public confidence is sufficiently established to maintain them, I shall offer no apology for addressing you a private note on the subject. From the decision come to by your Association I cannot of course look to it for further support and wish therefore to submit to you and through you to others favorably disposed, the necessity of some further efforts being made in your city to keep my paper up. As I told you, the sum advanced had been wholly anticipated in the heavy preliminary expenses of the concern, and on the evening

of the day I got the Dft. on Mr. Workman¹ cashed, I had paid away every pound.

That *Upper Canada* ought to have furnished means to sustain one paper—which was urged as a reason for not granting the sum I asked for, by your Committee, no one has greater reason for conceding than I have: and since my return I have laboured incessantly to effect an organization here in order to *raise means* and to direct public opinion throughout Western Canada. I have on two occasions assisted by Mr. Crooks, Mr. Kneeshaw² and one or two others, made appointments for meeting and notified a number of parties favorably inclined to attend, but the result thus far has been that our meetings have proved failures. This has been exceedingly annoying, as I get letters every day from every direction in the country, desiring to know why we don't organize—and saying that Associations would be formed in many parts of the country if a movement were only set on foot here. Now I have already explained in conversation the real cause of the tardiness of Toronto in moving and will therefore say but little more about it. I will however refer to one or two again—

The first is the antagonism of old parties, which prevented them from coming together. 2ndly a large number of strong annexationists, in their zeal to secure the seat of government, signed the Counter Document or Protest³—and now require some decent excuse for recanting. The vacillating course pursued by the *Examiner* party, who are nearly all in favor of Annexation, but who are aiming to overthrow the *Globe* and to influence and dictate to the Ministry, may also be added as another. But with all these opposing circumstances, the cause is steadily gaining ground and a Committee *will be* organized as the nucleus of an Association. I hope very soon—as we shall have another meeting this week. This will be a beginning and will serve to direct matters in the country and the movement in the country will react upon the Town, so that by Spring we shall make a formidable appearance. Meantime however, I cannot hope for any sufficient advances from our citizens, *to whom* and *not to Upper Canada* I can only look in the West. Those who are most active have already advanced me \$180 and till there is a more thorough fusion of parties they will scarcely give more. With

¹William Workman, one of the signers of the Annexation Manifesto, was the agent through whom money was transmitted to H. B. Wilson. See *infra*, William Workman to Edward Goff Penny, November 23, 1850.

²Richard Kneeshaw was recording secretary of the Toronto Annexation Association.

³A protest of inhabitants of the City of Toronto and the Home District against the Annexation Manifesto was signed on October 30, 1849 (see Jones and Allin, *op. cit.*, pp. 209-211).

the most rigid attention to economy, my current expenses for the last 3 weeks have exceeded my receipts by £20! and I know not where to look for money next Saturday to pay off my men. Out of 1100 parties who receive my paper, only 200 or thereabouts have paid; and a large number of them for only a quarter or half a year! There are upwards of 60 taking it in Montreal, and only 17 of those have paid up to the last advices from Mr. McCoy. Under the circumstances you will readily conceive how little heart I have for laboring as I have done, and *am* doing, to sustain your movement in Lower Canada. Without arrogating one iota to myself, I feel that I can say that so far, I have directed the whole movement in Upper Canada. Had it not been for my paper and my individual efforts, you would to this moment have remained unsustained here and the opposition papers would have laughed down the whole thing in Western Canada.

Now I wish in view of what I have stated, to ascertain if the further sum I desired to raise in Montreal cannot be obtained by special contribution from parties favorable to my paper; which might be given to the Committee to be applied *for the support of the Independent*. I can assure you that I shall require all I can raise here besides, for it will during the whole winter be uphill work.

Since writing the above, I have talked with Mr. Crooks—who has done all his circumstances will permit—on the subject, and he has promised to write to you. He is as well acquainted with the difficulty of *bringing parties out* here as anyone and will probably give you a better idea of it than I have. It is too bad to see the great interest of the country made subservient to the mean paltry designs of party. If my paper is kept up till these party barriers are broken down, and till the movement gets fairly under way it must and will sustain itself.

I think Mr. Ferrier would give handsomely to this special object as he is not a Member of the Association. Mr. J. C. Monk has already kindly sent me £5 and there may be others who would do the same rather than see me ruined and the paper fall through. I have advertised a very handsome block of brick houses which I own in Hamilton for sale and offered one or all at 30 per Cent under cost to such applicants as I have had, but cannot sell, or I should never have allowed myself to solicit further aid from any one after the decision of your Committee when I was in Montreal. But when it is a matter of public importance and the *sacrifices* ought to be borne by *others* as well as myself, I have determined to sink all pride, so that if I fail in the end I shall have nothing to reproach myself with.

Though I write this as a private letter, I would desire you to show it to any of your friends you may think proper—but its contents should

by no means be allowed to gain publicity to be made use of by our enemies.

Believe me to be
Very truly Yours

H. B. WILSON

John Redpath, Esq.,
Montreal.

Mr. Boulton did me the honor to call on me to day, and spoke quite confidently about the Judgeship, tho I do not think he stands any great chance for it. Dr. Rolph having declined to stand for Norfolk. I understand it is the intention of his friends upon his recommendation to offer me the nomination and they have assured me that the County can be carried on our ticket. In my present situation I could not accept it, but a few weeks may make a change in my favour.

Friday 28th. The meeting referred to in the foregoing came off last night; but altho 40 or 50 were notified, only 11 attended owing to various causes. The initiatory step towards organization was however taken and I think I may venture to say Mr. Clarkson's assent secured to become President of the Association—a circumstance which appears very gratifying to all with whom I have spoken on the subject.

H. B. W.

15. *From R. W. Crooks to John Redpath*

Toronto, 27 Decr., 1849.

SIR,

I take the liberty of addressing you as the President of the Montreal Annexation Association. The importance of the movement I duly appreciate and its success I am anxious for. I cannot therefore under these circumstances conceal the fact that unless the movement be vigorously sustained in Upper Canada the initiative taken in Montreal must prove a failure. In saying this I venture to assert there are few if indeed any in Upper Canada who have more reasons to sustain them in aiming at such a conclusion for I have watched the progress of events from the beginning and being a native of Upper Canada and a Reformer in principle throughout my life my acquaintance with the state of parties as well as my personal knowledge of the men who compose them enable me to form a pretty correct opinion of the result that may be anticipated in the event of the interest that has been created in Upper Canada being allowed to subside. Premising thus I would beg to draw your attention and that of the Montreal Association to the vital importance of sustaining the *Independent* Newspaper which has

been especially brought into existence to advocate the cause of Annexation and which as regards its success or failure may justly be considered as a test so far as we here are concerned of the desirability as well as the expediency of the movement, whether the step taken by the party in Montreal may have been premature or not I shall not offer an opinion, but the step having been taken and the *Independent* having appeared as the organ here I would submit whether it is not a matter of paramount interest to the initiators of the movement especially that it should be sustained. In answer to the reply which I am willing to anticipate that funds for this purpose should be forthcoming in Upper Canada I would remark that whatever may have been the latent feeling in Upper Canada at the time the Montreal Manifesto was published there was no organized or concentrated opinion on the subject—and however Mr. Wilson might have been backed by the allurements of promises held out to him here yet no sooner was the Advent of the Seat of Government confidently announced than the face of things entirely changed, many who had voluntarily offered to raise funds for the *Independent* and to advertise in it not only refused so to do when called on in accordance with their previous promise but even returned the paper when sent to them. In addition I know of my own knowledge that the circulation of the paper has been most unjustifiably interfered with by the local Post Masters whether from any orders they may have received or not I cannot state. Again another cause against the paper is an intimation that was artfully circulated and is still circulated that it would be suppressed all collectively calculated to damage its pecuniary affairs. Still further to show the difficulties with which Mr. Wilson has had to contend the Reformers who ought to be his supporters have thus far as a body stood aloof some suspecting as has been insinuated that it is a "Tory trick" and others clinging to the parties in Power and their patronage. Having so far enumerated some of the principle difficulties with which Mr. Wilson has to contend I submit them to your consideration and that of the Montreal Association and if you view the importance of the paper's efficiency and success in the light I do I feel confident that you will urge upon the Association the necessity of contributing that substantial aid to its support which as the organ of the movement here taken in connexion with the judicious and able manner in which it is conducted, it is so justly entitled to. To allow it to go down would be to retard the movement many years. What assistance Mr. Wilson may want I know not but I suppose the amount would not be unreasonable. We have a meeting here this evening to organize and I think it likely a committee of fifty influential citizens will be formed with Thomas Clarkson President.

In conclusion I beg to apologize for this intrusion and when I state that in doing so I am only dictated by a desire to promote the great end in view which sooner or later must inevitably take place you will forgive the liberty I have taken

And I remain

Your Most Obt Servt.

R. W. CROOKS

John Redpath, Esq.,
Montreal.

16. *From Solomon Walbridge to Edward Goff Penny*
Stanbridge, Bedford, 29th Dec. 48 [49?]

[In reply to a letter of the 21st, states that in his town there is a growing interest in annexation. A committee is organizing a branch Society: they ask for literature.]

17. *From A. A. Dorion to Robert McKay*
2nd January, 1850.

DEAR SIR,

Mr. Legaré¹ has it appears consented to oppose Mr. Chabot on the Annexation ticket. I think the chances of success are much increased by having such a candidate; he being the most popular man among the suburban population of Quebec. In my opinion this election is of the greatest importance at the present moment as it would have great influence on the other Counties both in the Districts of Quebec and Three-Rivers, in case of a general election and I think that if the Association can afford it, it would be well to apply a certain sum towards the expenses of the election. Mr. E. Papineau will speak of this matter at the next meeting of the Committee. The Quebec people ought not to be left under the impression that we are indifferent to their election and the best mode of showing that we take some interest in it, is to help them. I shall communicate with you as soon as I reach Quebec in order to give you all the information that I will be able to get there. I will leave in the morning—

Your's Truly

A. A. DORION

Robt McKay, Esqr.

¹Joseph Légaré, who had contested a riding in Quebec City in the Papineau interest at the last general election, was standing again as an annexationist in the bye-election of December, 1849-January, 1850. The Montreal Association gave financial assistance and much publicity to the contest, but Légaré was defeated by an overwhelming vote, especially among the French inhabitants.

18. *From Charles Laberge¹ to A. A. Dorion and Robert McKay**Translated.**St. Athanase, 7 January, 1850.*

GENTLEMEN,

I have the honor to inform you that the County of Rouville will assemble on the twenty-first of the current month to deliberate upon Annexation. You may have received the notice of the Mayor of the County of Rouville convening this meeting. We are in hopes that the resolutions which shall be there adopted will be favorable to Annexation, at least the meetings of several parishes of the county authorize us to hope so; five parishes of the county have declared themselves in favor of Annexation. You will have the goodness to let the Committee of which you are the Secretaries know the date of our meeting and if your co-operation may be useful to us I hope that it will not be wanting.

I have thought it to be my duty to give you this information because we desire to maintain the relations which ought to exist between those who are working for the success of a common cause, the important solution of which must decide the future of our fatherland which we all cherish.

When the Association of St. Athanase can be of any use to you, you may address yourself in all confidence to it, persuaded that its members are all devoted to the sacred cause, the interests of which you have so patriotically embraced

I have the honor to be, Sirs,
Your very humble etc.

CHS. LABERGE

Secr. A. A. St. A.

Dorion & MacKay, Esqrs.,
Secrs. A. A. of Montreal.

19. *From L. H. Robinson to Edward Goff Penny**Stanstead, Jany. 8th, 1850.*

[*The publisher of the Stanstead Journal sends a list of influential persons who are in favour of annexation. Nineteen-twentieths of the people in Stanstead County will support it. He asks the Montreal Association to assist him by furnishing a weekly news-letter for his paper.*]

¹Charles Joseph Laberge, one of the founders of the *Parti Rouge*, canvassed Canada East in favour of annexation, and helped to organize local Associations.

20. From A. L. Taylor to Robert McKay and A. A. Dorion

Pike River, 9th Jany., 1850.

[Reports a meeting of the local Annexation Association Committee on Jan. 5: acknowledges the receipt of packages of circulars and asks for more literature: his branch will provide funds for disseminating information: the sentiment of the county is in favour of annexation.]

21. From J. Bouvery to Edward Goff Penny

Quebec, 11 Jany., 1850.

SIR,

My absence from Quebec & close occupation at personal business since my return must plead as my excuses for not replying sooner to your letter of 16 Decr., or engaging more actively in the matters to which you therein call my attention.

The resolution of the Ann. Committee, proposing Mr. Legare as candidate at the election will have been a sufficient reply to the first portion of your letter. With respect to Mr. Legare's chances of success, I can say but little. Unfortunately for the cause, Mr. Legare, apart from his political opinions, does not enjoy a large share of public esteem for capacity: and the mass of neutrals who form a considerable item in an electoral body, will, I fear, consider Mr. Chabot as the more eligible candidate. The French Canadians are divided—but the leaders of the ministerialists, having office, money, religious and civil influence on their side, are heavy odds against the orators of *Jeune Canada*. The only three French newspapers are with them. Although the ministry and Chabot's nomination have not a little irritated the British party—still a great portion of them are committed against annexation by the protest published a couple of months ago—and many others, disgusted and reckless, will not attend the polls at all. Mr. Legare's friends however, are sanguine as to the result of the election; M. Aubin who is the most active among the annexationists of French origin, seems quite confident of success. I regret to say, however desirous I be for so notable a triumph for the cause, that as yet I can see no symptom which would warrant so pleasing a hope.

In reply to your offer of printed matter, I think it would be acceptable and useful—a few copies of the *Herald*, *Avenir*,¹ etc. together with any tracts you may have for the working classes, showing the advantages to

¹*L'Avenir*, edited by J. B. E. Dorion, was the organ of the *Parti Rouge*. It had advocated annexation as early as April, 1849; it also endorsed the radical programme of the Clear Grits.

be derived from annexation in point of wages, etc.—a father Chiniquy's¹ letter—would be of service to the cause. I should be happy to use my endeavours in distributing them, etc.

I have the honor to be

Sir

Your most obt. servant

J. BOUVERY

Edward Goff Penny, Esq.,

Asst. Secy. Ann. Ass., etc. etc.

22. *From H. J. Noad to Benjamin Holmes*

Saturday, 12th Jany., 1850.

[Thanks him for his letter of the 10th: thinks Mr. Legare's chances of being elected are good, but financial help is needed from the Association at Montreal.]

23. *From George Atkinson to Edward Goff Penny*

Annexation Society, Durham, March 9th, 1850.

[The Secretary of the Durham branch acknowledges a communication of February 5th, and forwards resolutions (missing) in reply: asks to have the proceedings of the meeting inserted in the Montreal Herald.]

24. *From William Workman to Edward Goff Penny*

Montreal, Nov. 23, 1850.

[Encloses an account of interest on the money paid by him to H. B. Wilson and Company.]

25. *Clerk's Filing Note, 1850*

From a gentleman named Hamilton at Saratoga asking information relative to Canada, apparently with a view to annexation & as I believed at the time to Gen Scotts candidacy for the Presidency.

[Twenty-six questions asking for statistical information.]

¹Father Chiniquy, on his return from the United States, addressed a letter to the *Mélanges Religieux*, in which he stated that the French Canadians who had emigrated to the United States had found there the "essential elements of the life of nations". An extract from the letter was embodied in the Address of the Montreal Annexation Association to the people of Canada (Jones and Allin, *op. cit.*, p. 174).

26. *From J. Workman¹ [to Edward Goff Penny]**Toronto, 1st May, 1851.*

MY DEAR SIR,

Yours of the 27th Ult. is before me—I am not surprised to learn that a certain party of religionists in Eastern Canada are giving indications of energetic movement. I have long been a watcher of their Western brethren, and I have come to the conclusion that the war of progress against superstition and craft is no very distant event in the future of Canada. *We* are pretty well prepared for the struggle: but your case is not so promising. You have referred to the Brockville Common School difficulty. Did you not notice in our papers the details of our conflict in this city, with MonSigneur, the Bishop of St. Michael's Palace? We point-blank (the Trustees, of whose Board I am Chairman) refused to carry out the provision of the School Law which authorises separate sectarian schools. His Lordships monkeys took the case to the Queen's Bench; but owing to an informality they were put back a term—and I believe they do not purpose trying their luck again, but rather going before Parliament to ask a more stringent sectarian law—If they do, the war-whoop will ring from the Ottawa to the St. Clair—and be assured there is no division among protestants on this great question—I shall not, however, be surprised, neither shall I be much grieved, to find Bishop Strachan & his Puseyite followers favoring the system of sectarian separate education. I would give a Jew's eye for such a fact—It would be a big nail in the coffin of episcopacy—The Trustees in Brockville are acting nobly: they are about to build a large town school, at a cost of £1000—The Londoners have one in operation, which cost £1900—It will hold 1200—1400 scholars, with 7 teachers. Our friend, Mr. Hunter—has just been appointed head master at £200 a year, with promises of increase in salary—In Toronto I trust to see 5 or 6 schoolhouses put up this season, each adequate to accommodate 500 to 600 scholars. A building committee of our Board is now engaged in conference with various members of the Corporation; and there is every reason to expect a harmonious and energetic co-operation—When we get our splendid schools in operation and the people once begin to appreciate the blessings of general education, a fig for priests, bishops and their puppets. On our Board we have J. Leslie of the *Examiner*—, *Jupiter*, (i.e., Mr. Riddell) & myself—three big guns—and a fair complement of flying artillery & light troops. We have all our schools now free, and full, with a pretty efficient staff of teachers—I am heart and soul into the movement; and trust to see our great hopes consummated.—Meantime the R C Bishop's *freres chretiens* have arrived with their

¹J. Workman was chairman of Toronto school trustees.

shovel hats—and are going to their work—the tug will be a life and death struggle; but God will defend the right.—The Union *must* be dissolved. But it will be upheld by Imperial influence. Then annexation is the alternative—I defy you to foretel a single event in our destiny that does not tend in this direction. Frame a confederation of B. American provinces and you have the bursting germs of so many American States. G. Britain cannot erect any colonial powers more important than the present, without detriment to her own Imperial influences. Who thinks that we, Western Canadians, will submit to be legislated for from under the guns of Quebec? The ensuing hegira will be the conception day of Western independence. Messrs Baldwin LaFontaine & Co. may play “fare you well Killeavey”, as they round the lighthouse point. Do not, I pray you, forget my merits as a prophet when, this day ten years, you shall be twining a wreath of may flowers with which to deck the liberty pole of our glorious young nation.

Your funny remarks anent Masters *Globe & Mirror*—, I duly appreciate. We care very little here for either of these organs—Their heads will soon be snapped—Brown is well dressed up—He keeps pretty much under cover, these ugly days—Some of the Ministry have expressed their gratification at his defeat—I believe they regard it as second best. If they could but think him *clean-kilt* they would feel delivered from one great curse. I believe I can state as a matter of certainty that Mr. Baldwin has completely lost his supporters in the Fourth Riding. Several persons have already been solicited to offer on the liberal ticket at the next election—I rather think the old generalissimo, my friend of the glyster pipe, may be the man. The clear-grit party will either make a sweep or a smash. Haldimand, York Second, Halton & Lincoln are no despicable indications of their prowess. Malcolm Cameron is dodging—He may miss his mark. Hincks has been, till recently, regarded as secure for Oxford—I am inclined to believe, (from certain things I have heard from persons residing there) that he will fail. Price has no chance in the First Riding. Doubtless *you* can furnish Rimouskis enough for them all. John Toronto yesterday laid the cornerstone of his soi-disant University. Poor John; he bewails the calamities of his church, and the loss of the dollars, in very dolorous strains. We all sympathize with him very much! Mr. Baldwin's reformed University is a total failure—The institution never was so corruptly governed as at this moment—It is a nest of paupers and political jobbery—We shall have more University agitation at the next general election. Meantime the endowment is running off, like a pound of butter in a July sun. The Medical Faculty eat up in salaries, alone £2350—add for expenditure of the school—£400 or £500 more, and their share of the general expense of management

£850 or £900—and you have say £3700, for the public cost of the education of some 20 medical students. One lecturer, (the Professor of Medical Jurisprudence) had, in the past session, a class of three: and one of my students told me he counted six in the class of another—Have you noticed the details of the battle waged between our school & the Medical Board. I send you a *North American* of the 25th Apl, in which you will find the case at full length—If compatible with your position. I would be thankful for an editorial in your paper—on the question at issue. We shall assuredly beat them in the end: for we have public opinion & public feeling on our side: but, of course, we require a lift from our friends, and what is the use of having friends if we do not turn them to account? You might, very properly, contrast our University School with that of McGill College: the former costing the country £4000 a year: the latter £200—: the one efficient: the other almost a nullity. By the way,—and a heavy hit,—our respectable University Faculty have reduced their class tickets from 14 down to 5 dollars—Driven from the field, under fair competition, they now come down to pedlar's prices, and hope to do a dashing business, under cover of their enormous salaries—Our school has taken the students from them, at their very doors—and now they must kill us by starvation prices—but they cannot come it yet—

We are just about working off our University Commission balance—long job it has been—and a most irksome & laborious one to me. I trust to have the report forward in time to be in print before the middle of the coming session of Parliament.

Yours very truly

J. WORKMAN

27. *From S. Lester Taylor to Mr. Holton*

Avondale, 2nd November, 1864, Wednesday Night.

[*A long letter, not directly connected with the Annexation Movement of 1849-50, about the hostile feeling between Canadians and Americans.*]

28. *From J. W. McFarlane to Edward Goff Penny*

17th Sep., 1867, 239 Dorchester Street.

29. *From J. W. McFarlane to Edward Goff Penny*

20th Sep., 1867.

30. *From J. W. McFarlane to Edward Goff Penny*

Sep. 21st, 1867.

[*Three letters stating the reasons for his dissatisfaction with the Liberal Party: is opposed to republicanism.*]

REVIEWS OF BOOKS

British American Relations. By J. D. WHELPLEY. London: Grant Richards, Limited. 1924. Pp. 327. (14s.)

THIS is one of several books that have recently appeared with the object of contributing to the permanence of the present good relations between Britain and the United States which were strengthened during the War. Its frank but kindly presentation of the American point of view should be effective to further this purpose. Mr. Whelpley is an American of old English stock who writes for the English reviews. He has resided for some years in Britain, but he still sees things through an American's eyes. His book is the more valuable on this account because, though he is an admirer of Britain, he is devoted to his own people, often, indeed, almost their champion.

The burden of his argument is, "The beginning of any real international league organized for purely beneficent purposes must be an agreement between the British Empire and the United States. . . . The mere existence of a working partnership between the British Empire and the United States would be a sufficiently strong argument with most other nations in favour of accepting the suggestions or complying with the requests these two might make in their united capacity." But this could not be a formal alliance; rather "a close Entente, practically unwritten in its larger phases, but strengthened and safeguarded by minor agreements and arrangements, whereby the public functions of the two nations as represented in their governments can operate co-operatively to mutual benefit".

Events even before the War had been leading up to this position. Slowly old prejudices had been dying out, each had been learning the character and national or imperial purpose of the other, economic conditions had been bringing them together. This approximation was not based upon emotional good-will merely, but on a fundamentally reasonable understanding the one of the other. But "the War led to the discovery of America by the British people as a whole and induced such a frame of mind as was needed to bring the two nations together." The actions of the British both since and during the War have obliterated

from the mind of the Americans many of their prejudices about the grasping purpose of British policy and the high-handed indifference of British statesmen to the aims of the United States. Much has moved them to admiration—the settlement of the Irish question; the arrangements to pay the debt owing to them; pluck in facing a very difficult domestic situation; and a sane attitude in regard to the German reparations and the French occupancy of the Ruhr. The American had in the past been repelled by the reserved tolerance or patronage of the Briton towards him: he resented the praise of his energy and resourcefulness because with it went reluctance to credit him with idealism or spiritual motives. Now, however, he sees the Briton struggling without aggressive purpose or arrogant use of power to bring order out of chaos. This spectacle has impressed even the dweller in the Middle States who is “the man behind the gun”; and, himself a confirmed pacifist, he admires in England her effort to reduce armaments and restore the world to economic order. In fact, out of this attitude and action of “the man behind the gun”, Mr. Whelpley has made an ingenious thesis that the very reasons for his refusal to take a hand in the affairs of Central Europe since the War are those which have been increasing his good-will towards England. Though he will not become involved in European antagonisms and hatreds, he cannot withhold his admiration for England's constructive policy in patiently seeking to win the wayward by counsels of peace.

As has been already remarked, Mr. Whelpley is a thorough American, and, more than some of the impatient critics of their own country whom one often meets in the United States, he endeavours by his sympathy with and insight into their underlying motives to interpret their action since the War as leniently as he may and even to justify it. It would be too much to say that the book is an *apologia* for the Americans, but he wishes by clarifying the reasons for their policy to help the critical Englishman to understand them. He admits that other nations have grounds for accusing the American of unreliability in foreign affairs, and that there was cause for the resentment in England when the Senate refused to ratify engagements which the British were induced by the insistence of President Wilson to make even against their better judgment. Yet he seems to think that the British should have known better than to rely on his assurance. This misunderstanding was the result of fundamental differences between the two peoples. The Briton has been for centuries a member of a world-wide Empire; and his welfare so obviously depends upon what may happen not only in Europe but anywhere in the world that his self-interest has produced in him a fairly uniform attitude in foreign policy. He cannot shut himself off from the

rest of the world. The American, on the contrary, being detached on one continent, stands aside and considers European and world affairs from a less involved position. He acts as "a spectator at a great game". He has hitherto believed that his participation in foreign affairs was entirely voluntary, and, constrained though he was to enter the Great War to uphold international law, he has since its close naturally withdrawn into his aloofness. This has been a fertile source of misunderstanding, but Mr. Whelpley seeks to justify his countrymen in their attitude. "Had America taken an active part in all recent controversies the United States would by this time be helplessly entangled in the maze from which the governments of Europe are now trying to extricate themselves, and thus be deprived of that independence of thought and action which may yet prove useful in international affairs." He also approves the action of the Senate in refusing to ratify the Treaty in so far as the League of Nations and its Covenant were concerned. America will maintain her independence. She will never enter any such League, though he believes that without her the League will become ineffective. In fact he regards it as almost a British instrument. Far more advantageous he thinks for the good of the world will be a firm understanding between the two branches of the English-speaking peoples.

A strong ground for this hope he finds in the independent element that has grown up in the United States for to it the regular party machine must pay heed. Both voter and press he regards as being more independent than in England; and the American, being well provided with material in his newspapers, is able to form his own judgments on European affairs. His opinion of the American press in comparison with that of Britain is surely unusually favourable, for, apart from a few great papers in the east, the American press is, in my experience, meagre in its European news and very complacent in its provincialism.

In other matters also his judgment is not quite impartial; as, for example, in his comparison of the relations between capital and labour, which he believes to be better in the United States than in Britain. Recent articles in the *World's Work* recalling what has happened in the coal fields will give pause to our following him uncritically.

Canada comes into consideration in several chapters. On the whole he understands the attitude of English-speaking Canada to the United States, but he takes little account of Quebec. He has emphasized, as might have been expected, the factor of self-protection against a powerful neighbour as a motive in the bringing about of Confederation. In fact he over-emphasizes it. Goldwin Smith said long ago "that the parent of Confederation was Deadlock". He thinks that annexation might have come before this had it not been for American indifference.

When McKinley, who was willing for continental free trade, was overborne by the industrialists and agriculturists, the parting of the ways began. Canada's choice led to closer imperial relations in trade and she has strengthened her independent position. More recently, however, there has been an invasion of American capital for industrial purposes which may in time produce irritation in the Englishman if he finds the ground in Canada pre-occupied by his trade rival. However, Mr. Whelpley regards Canada as being on the whole a source of goodwill between Britain and the United States. The Canadian people are distinct from those of the United States in their type and outlook, and he thinks it is likely that Canada will retain her own individuality as a nation though the two peoples will continue to approximate to each other. Having taken the control of her own affairs into her own hands Canada will in the future be a diminishing cause of controversy between the United States and Britain.

The book is valuable as coming from a well-informed, sympathetic, and high-minded American who has had exceptional opportunities of getting to know the life of the British people, and not the less so because the author is discriminating in regard to things English. Some of his judgments seem to need revision, and his treatment lacks orderly development and is too diffuse, but Mr. Whelpley deserves well of the rapidly increasing number of people of goodwill who see in the establishment of mutual understanding between the English-speaking peoples the greatest secular factor in the promotion of the welfare and happiness of the world.

R. A. FALCONER

Proceedings and Debates in the British Parliaments respecting North America. Edited by L. F. STOCK. Volume I, 1542-1688. Washington, D.C.: The Carnegie Institution of Washington. 1924. Pp. xx, 515.

AMONG the numerous benefits that have been conferred by the Department of Historical Research of the Carnegie Institution under its indefatigable director, Dr. J. Franklin Jameson, not the least, assuredly, has been the undertaking of the difficult task of getting together what remains of the scattered authorities relating to the proceedings of the English parliament in connection with colonial questions. The first volume, which has now appeared, runs from the first mention of America in the Journal of the House of Lords in 1542 and in that of the Commons in 1549 to the date of the Revolution of 1689. It further deals with the parliaments and conventions of the Estates of Scotland and with the parliaments of Ireland.

The *Journals* of the two houses of the English parliament form the backbone of the volume, which derives importance from the fact that not many libraries in the new world contain even the *Journals* of the English House of Commons. Moreover the dry bones of these *Journals* are not seldom infused with flesh and blood; as in the account of the proceedings on May 17, 1614 when M. Martin, in his zeal for the interests of Virginia, forgot the respect due to the august body which he was addressing; or in the striking and suggestive language of many of the petitions. Nor is it only on the *Journals* that the volume relies. The Manuscripts of the House of Lords, the State Papers in the Public Record Office, the Harleian and Additional Manuscripts in the British Museum, and many private collections have been called in aid. Of special value are the various unauthorised reports of the doings of parliament made by individual members, such as the *Journals* of Sir Simonds D'Ewes,¹ Archibald Grey's *Debates of the House of Commons, 1667-1694*, and the *Diary of Thomas Burton, M.P. from 1656-1659*. (It is unfortunate for us of a later day that the habit of taking notes was sternly discountenanced on the ground that it took away "the freedom and liberty of men's speaking, for fear their arguments be told abroad".)

What can be more suggestive than the pathetic petition of certain victims of the Salisbury rising of 1654, sold, as they affirmed, into slavery in Barbados, and the debate to which that petition gave rise on March 25, 1659? One notes the nervousness with which the supporters of the existing régime are seeking to support their waning authority.

On the general question raised again not long ago by Professor McIlwain—how far colonial questions were independent of parliament before the Act of 1649 which Professor McIlwain considers the opening scene in the drama of the Revolution—the volume has much to say. On the one hand it must be confessed that, in 1624, James won the first trick for the Crown when the Commons acquiesced, even though "with a general silence" and "not without whispers that by such means any business might be taken out of the hands of Parliament", in the letter of the King which, in effect, informed them that the business of Virginia was not their concern but his. At the same time it is as clear as can be that the mass of material here brought together proves to the hilt that colonial questions, whether from the point of view of foreign policy or of legislative measures, were from the first closely connected with English constitutional development; and that no such hard and fast

¹It should be noted that d'Ewes very often, as for the time of Elizabeth, gives second-hand accounts of the proceedings.

line of distinction, as McIlwain maintains, can find its justification in the records of Parliament.

On these and other grounds the appearance of this volume is most welcome; but yet more welcome will be its sequel, when colonial affairs were still more closely gathered into the parliamentary net; and where more independent authorities will be found outside the *Journals* of parliament—e.g., the volumes of Lord Percival's *Diary*, published by the Historical Manuscripts Commission, contain material of much interest and value. It only remains to congratulate the Editor, Dr. L. F. Stock, on the manner in which he has performed his task. The illustrative notes are admirably clear and to the point; and Dr. Stock has well resisted the temptation to allow his abundant knowledge to expand them to a disproportionate extent. Whatever the effect of prejudice upon the school text-books of American history, so long as work of this kind goes on among American scholars, so long will the *entente* between them and their British and Canadian *confrères* grow and be productive.

H. E. EGERTON

A History of the British Army. By the Hon. J. W. FORTESCUE. Volume XI, 1815-1838. London: Macmillan and Company. 1923. Pp. xxii, 533.

THIS volume of about the same size as its predecessors, covers a period of thirty-three years, marked only by small wars and revolts in India and on its frontiers and in some of the colonies, and by much political agitation and unrest in the British Isles. The war with Nepal, the Pindari war, the war in Ceylon, the war with Burmah, the operations against Bhurtpore, the Ashanti war, and the Kaffir war of 1834-1835 are described at considerable length and apparently with much care and general accuracy. A good deal of space is properly given to an account of the none too satisfactory condition of the army at the conclusion of the wars with France, and Mr. Fortescue takes the opportunity of remarking that the military historian's difficulties are materially increased by frequent changes in domestic policy. Nearly a third of this volume is therefore occupied with a review of domestic and foreign affairs, only indirectly connected with military operations. In all political questions it must be observed that the narrative is uniformly coloured with a strong reactionary bias.

Less than ten pages in the concluding chapter, entitled "Imperial Policy and the Colonies", are allotted to an outline of the events of the rebellions in Canada in 1837 and 1838, and these, probably, are the least satisfactory portion of the book. With respect to the first rising

in Lower Canada, Mr. Fortescue says, "Sinister influences had been at work, the influences of foolish priests, mischief-loving Irish and mischief-seeking Americans," but he does not seem to be aware, or will not admit, that misrule and mistakes in policy were to be reckoned among its principal causes (p. 503). Its chief leader is derisively called "the egregious Papineau". William Lyon Mackenzie is described as "a cowardly ruffian, who curiously enough bore not an Irish but a Scottish name," and the rebellion in Upper Canada as "the enterprise of a few vain, vicious, feather-brained men: it had neither spirit nor substance, deriving what poor strength it had from enemies of England, calling themselves sympathisers with the Canadian patriots, in America" (p. 505). There are several minor inaccuracies. The steamboat *Caroline* is termed a schooner, and the date of her destruction is wrongly stated as December 28, 1837. Referring to the disallowance of Lord Durham's ordinance banishing certain political prisoners to Bermuda, on the advice of the law officers of the Crown in England that it was illegal, the statement is made that, "The British government, represented at the Colonial Office by the deplorable Glenelg, had not the strength nor the courage to support him," and it is implied that this was the reason that, "in November, 1838, the insurrection broke out afresh in Lower Canada." The number of invaders who landed at the windmill near Prescott is much overstated (p. 507). There seems little justification for the remark that "It was evident that this petty rising of a few hundred fools, headed by a handful of contemptible knaves, was straining the military resources of the country to the breaking point" (p. 506).

E. A. CRUIKSHANK

English Society in the Eighteenth Century as influenced from Oversea. By JAY BARRETT BOTSFORD. New York: The Macmillan Company. 1924. Pp. vii, 388.

DR. BOTSFORD has unearthed many curious facts about the changes in English social life effected during the eighteenth century through contact with Asia, Africa, and the Americas. There were revolutions in diet, in clothing, in furniture, in amusements, which led, on the whole, to refinement of manners and habits. New industries sprang up and the nabob, the rich merchant, and the retired planter became a class of *nouveaux riches* who overturned the old political system and transformed cities and countryside. The most valuable information has been drawn from contemporary periodicals and pamphlets. These are not trustworthy sources of statistical information, because their authors were often ill-informed and prejudiced, but they are a mine of interesting facts

about social conditions. The commodity view of empire, which predominated among writers of the eighteenth century, has greatly influenced the author's discussion of the subject. The northern colonies, accordingly, have received scant attention, for most of their products were similar to those of Great Britain. Although some pamphleteers in the last half of the century realized the value of colonies as markets, and even as shelters for the surplus population, it was the radical imperialists of the nineteenth century, led by Wakefield and Durham, who first preached emigration to the colonies as a solution of the "condition of England question". This was the greatest effect produced by the northern colonies upon English society—a reaction difficult to measure, but as significant in its results as the introduction of tea and coffee and the easy acquisition of wealth abroad.

Indianer: Die Indianerstämme des Ostens und der Prärien Nord-Amerikas nach Darstellungen aus der Zeit von 1590 bis 1850. Von HERMANN DENGEL. Stuttgart: Frank'sche Verlagshandlung. 1924. Pp. vii, 80, 96; illustrations.

THIS book is the first of a series of illustrated monographs which will deal with the whole "Amerind" race. The volume in question cannot, of course, compete with Mr. Hamlin Garland's *The Book of the American Indian*, with its illustrations by Mr. F. Remington, but it will be useful to those seeking a general rapid glance of the "Amerind" and his culture from certain angles in earlier times. It lays no claim to originality; indeed it consists of a compilation of illustrations taken from the works of Champlain, De Bry, McKenna and Hall, Catlin, the Prince of Wied, Schoolcraft, Kurz, Bodner, Eastman, and others. The disadvantage of the book is that it stops at the year 1850, and consequently none of the illustrations has the exactitude and reliability of a photograph. The majority of the illustrations date from the first half of the last century, and are hence tinged with the romanticism of the period, which is often far removed from the truth. The advantage of the book lies in the fact that it reproduces illustrations from works that are not likely to be on the shelves of the ordinary public. There is a short description under each picture which is mostly correct in its main statements. One is somewhat surprised to find Benjamin West's picture of the death of Wolfe reproduced for the sake of the Indian in the foreground. The figure on his left is not, as stated in the letterpress, that of a *coureur de bois* but of Sir William Howe. The binding and printing are excellent, and the jacket has an interesting reproduction of native drawings.

L. HAMILTON

Writings on American History, 1920. Compiled by GRACE GARDNER GRIFFIN. (Annual Report of the American Historical Association, 1920, supplement.) Washington: Government Printing Office. 1923. Pp. xxiii, 267.

MISS GRIFFIN'S bibliography of historical writings relating to the United States and Canada has long been regarded as one of the most valuable parts of the *Report* of the American Historical Association. Coming as it does much later than the lists of recent publications contained in this REVIEW, it has a completeness to which current bibliographies cannot pretend. It is, perhaps, unfortunate that Miss Griffin allows so much time to elapse before she publishes her annual bibliography. In the present case the bibliography of 1920 is published under date of 1923, and comes to us in 1924. Probably, however, greater haste would result in a less full and exhaustive treatment.

The subject division adopted by Miss Griffin is very similar to that adopted by this REVIEW in listing recent publications, and enables specialists to pick out with the minimum of difficulty the items in which they are interested. In addition, there is provided an admirable index which renders the whole work of great value. Mention ought to be made also of the short but judicious notes appended to many of the titles.

The Story of Detroit. By GEORGE B. CATLIN. Detroit: *The Detroit News*. 1923. Pp. xix, 764.

IN 1923 the *Detroit News* commemorated the fiftieth anniversary of its founding by publishing in serial form the story of the city of Detroit. In this volume the articles are collected and re-printed. The author, who is the librarian of the newspaper, has been a continuous resident for thirty-one years, and during those years an interested student of local history. His researches have led him to original records, some of them unpublished, and he presents the facts in an easy, dramatic narrative which would tempt even the most casual scanner of headlines.

Privateering and Piracy in the Colonial Period: Illustrative Documents. Edited under the auspices of the National Society of the Colonial Dames of America by JOHN FRANKLIN JAMESON. New York: The Macmillan Company. 1923. Pp. xxvi, 619.

BOTH the privateer and the pirate have vanished, and one kind of romance has gone with them. There is no glamour about the modern smuggler and the seeker after oil, though they too gamble against law-abiding society for great profits. Piracy in the colonies was an extreme left wing of privateering, which began with the issue of licenses to privately owned vessels to attack and capture enemy merchantmen in

time of war. The privateer who did not know, two years after a war, that a treaty of peace had been signed, the privateer who considered a Spaniard always fair game, the privateer who abused the hospitalities of a neutral port—there were many such individuals who discredited the practice. For these reasons, and perhaps because it injured commerce, privateering was formally brought to an end by international agreement in the middle of the nineteenth century. The impulse to plunder the Spaniard seems to have lingered in Puritan New England after it had died out in Great Britain, for complaints were made against colonial privateers who damaged the fair trade of Englishmen to the Spanish Main early in the eighteenth century. The variety of jurisdictions, and the conflict of nationalities favoured privateers upon the Atlantic coast, as did also colonial jealousy of the judicial suzerainty of Britain. The trial of Captain Kidd furnishes the most interesting group of documents. He was removed from Massachusetts to England for trial because the colonial court could not award the death penalty, and condemned on inadequate evidence by a court determined to find him guilty. On the whole, the pirate's lot was not a happy one. There is much evidence here of the discomfort, humiliation, and danger of life on board ship; though the prizes were often rich, the chances were heavy against a continuous run of good luck; and the last indignity seems to have been the prayers and sermons of pious New England divines who hoped to extort an edifying confession before the offenders suffered death by hanging. The documents have been found in an extraordinary variety of places, and fitted together with great ingenuity and a useful minimum of footnotes. The result is a book which will be appreciated for its human and romantic interest by people who would only glance at the usual collection of documents.

Report of the Public Archives for the Year 1923. By ARTHUR G. DOUGHTY. Ottawa: F. A. Acland. 1924. Pp. 410, 70, 25. (55 cents.)

THE Keeper of Public Records reports several important acquisitions during the years 1922 and 1923. The Earl of Durham has added to his gift of 1907 the remainder of the family papers which deal with his grandfather's mission to Canada in 1838. The Monckton Papers, a gift from Sir Leicester Harmsworth in memory of his brother, Lord Northcliffe, are the collection of Lieutenant-General Monckton, who was appointed lieutenant-governor of Annapolis Royal in 1854 and was second in command of the expedition to Quebec in 1759. The Department has also acquired the Bourlamaque Collection which covers the last years of the French régime. It is interesting to learn that the activities of the Canadian History Society in England have already

brought to light some hitherto unknown documents among family collections, and that some of the most important of these are being donated to the Canadian government.

In this volume are calendars of the Durham Papers (410 pages) and of the Bourlamaque Collection (70 pages), each completely indexed, as well as notes about miscellaneous acquisitions. A casual inspection of the calendar of the Bourlamaque Collection proves disappointing, since the calendar is too brief to include the detail of military orders, which comprise the major portion of the correspondence.

The Durham Papers have lent themselves to this sort of treatment. One can gauge fairly accurately the conclusions of future research students who will read these papers about the most momentous period in Canadian history of the nineteenth century. For instance, there will be something to say in answer to the old question, "Who wrote Lord Durham's Report?" Durham's secret despatch to Glenelg of August 9, 1838 (printed in full on page 316) contains in brief all the principal conclusions of his Report on Lower Canada. The same solution of the racial problem had been maintained by Lord Durham in his conversations with Buller on board ship before they reached Quebec. Charles Buller, from the evidence of his own *Sketch of Lord Durham's Mission to Canada in 1838*, and his letters, was only a friendly and competent subordinate. He had tried in vain to alter Lord Durham's decision on two important matters,—the appointment of Turton and Durham's resignation. Though his writings show ability and diligence, they nowhere reveal the broad statesmanship that made the *Report* famous, even among those who disagreed with its conclusions. The real germ of the *Report* on its political side lies in Durham's characteristic statement in an autograph letter under his own signature: "I do not wish to make new institutions, but to preserve and strengthen the old. . . . Some would confine the advantages of those institutions to as small a class as possible. I would throw them open to all who had the ability to comprehend them, and the vigour to protect them." But perhaps Lord Durham wrote his letters with his own hand at his secretary's dictation!

The *Report* was begun in Montreal, according to Buller, early in July, after conferences with the English merchants. There is evidence in the correspondence to show that Durham consulted these gentlemen frequently. His own preconceptions of the racial issue were strengthened and defined by their opinions, and it was probably their arguments that changed him from an advocate of federal union to an advocate of complete legislative union. Lord Durham was also in close correspondence with the Reformers of Upper Canada. Through Derbshire, a

member of his staff, and Buchanan, the British Consul at New York, he became familiar with the views of the exiled leaders; and he studied carefully the complaints and recommendations of the moderate reformers. With the Tories of Upper Canada he had, apparently, little communication, possibly because he had quarrelled with Sir George Arthur over his treatment of the captured rebels, and because he thought the lieutenant-governor of Upper Canada had become "completely subservient to the violent counsels of the Family Compact".

The responsible executive was plainly the chief political issue. Glenelg's long minutes on the state of the colonies prior to Lord Durham's commission show that the point of conflict between the colonial assemblies and the British Cabinet was the demand for elective legislative councils and responsible executive councils. Robert Baldwin, writing to Glenelg in 1836, had stated that the second of these demands was the only ultimate solution. Nevertheless, even Baldwin did not fully realize the implications of his theory. His resignation from Sydenham's ministry, and the quarrel with Metcalfe over appointments were both contrary to his views of cabinet government in 1836—"The power of appointment to office would remain in the Lieutenant-Governor as at present. The right of advising is all that is claimed for the Executive Council."

Future historians will appreciate at its full value Lord Durham's service in establishing more friendly relations between the United States and the Canadian provinces. With startling frankness, Fox, the Secretary of State at Washington, avowed to Durham and even to Palmerston that the federal government was unable to control the citizens of the border states. Mutual violations of the frontier could not be prevented by the authorities, and there was an increasingly hostile sentiment in the United States which would have prejudiced the negotiations about the New Brunswick boundary and the Neutrality Bill then passing through Congress. Lord Durham, like Lord Elgin, possessed a happy gift of sociability which smoothed the way towards a readjustment of differences.

The story of Lord Durham's relations with the British ministry seems now to be fairly complete. Without being a protagonist of either side, the future historian will realize that the incident was one of the most unfortunate occasions when the welfare of the colonies was sacrificed to the exigencies of British politics. Lord Melbourne's government was hard pressed by the opposition, and they disallowed Lord Durham's Ordinance of June 28 on a technical point in order to satisfy Brougham and Ellenborough who were agitating the question in the House of Lords. Lord Durham, being sensitive and impulsive, resigned his

commission because he felt that his authority had been undermined, and the colonies lost the chance of having the recommendations of the *Report* put into operation by its author.

MARJORIE REID

Presbyterian Pioneer Ministers. By HUGH MCKELLAR. Toronto: Murray Printing Company. 1924. Pp. 249; illustrations. (\$2.00.)

DR. MCKELLAR states that his chief reason for writing the sketches that appear in this volume is to keep in remembrance the names, lives, and work of the pioneer missionaries of the Presbyterian Church in the western provinces of the Dominion. Many of them he himself knew, for he also went to the west early, and in the evening of his day, after earnest and self-sacrificing toil, is making his home in Calgary. He has gathered from various sources much valuable information about men who in no small measure contributed to the welfare of the Canadian west, and incidentally he has shed light on many aspects of pioneer life.

The volume has no index, and this is to be regretted, but it contains a list of Presbyterian ministers and missionaries whose work endures in the country west of the great lakes. The book is printed in clear type, and one of its excellences is the large number of illustrations.

The Life and Letters of Sir Edward Mortimer Archibald. By EDITH J. ARCHIBALD. Toronto: Morang and Company. 1924. Pp. xii, 266. (\$3.50.)

THE intensive life of a small community, peopled by a virile stock, produced in the early days of Nova Scotia a number of remarkable personalities. These, when the limits of the little colony grew too straightened, turned naturally to imperial service. One such personality was Sir Edward Archibald, son of the Hon. S. G. W. Archibald, and father of children who are to-day filling honourable positions in the life of Canada. Sir Edward was for many years attorney-general of Newfoundland, and thereafter British consul in New York. Here he played an important and honourable part in the various questions arising in and out of the Civil War, especially the Alabama claims. The life of a kindly and able man has been written in kindly and able fashion by his surviving daughter.

W. L. GRANT

The Canadian Provinces: their Problems and Policies. By JOHN NELSON. With an introduction by the Right Hon. ARTHUR MEIGHEN. Toronto: The Musson Book Company. 1924. Pp. xix, 219.

THE optimism of Canadians of this generation is more sober than the

enthusiasm of the generation which watched the great gold rushes and the land booms. The prophet of to-day must utter warnings against depleting the forests and exhausting the soil, against emigration and reckless immigration and the depopulation of older rural districts, against turning a deaf ear to the complaints of the eastern and western sections of the Dominion. Nevertheless, when these dangers have been faced, the author here discloses substantial reasons for optimism. Local initiative, combined sometimes with foreign capital, is organizing production on a large scale, as in the fox industry of Prince Edward Island, the coal mining of Nova Scotia, the Hydro-Electric Power Commission of Ontario, and the co-operative grain growers' organizations of the west. The limit of agricultural produce is being constantly pushed further north through the scientific adaption of grains to climatic conditions; the risks of wheat cultivation on the prairies are being diminished by the practice of mixed farming; the fundamental difficulties of transportation will probably be relieved by the construction of a transcontinental railway to Hudson Bay, and by the use of ocean routes via Vancouver and the Panama Canal. Neither in the east nor in the west is secession really contemplated as a remedy for existing evils. Without looking at the introduction, one could perhaps guess that Mr. Nelson is a westerner, and even a native of British Columbia; but he shows insight and sympathy in his analysis of conditions in all parts of the Dominion.

Farm Credits in the United States and Canada. By JAMES B. MORMAN.
(The Rural Science Series.) New York: The Macmillan Company.
1924. Pp. xv, 406. (\$4.00.)

FOR some years there has been a deluge of literature bearing upon what may be termed "rural credits". Practically all of it has urged that something should be done to enable the farmer to borrow at lower rates of interest. Some authors, while very carefully setting out the difficulties of the farmer in paying his debts, urged co-operation in making the security of farm loans more acceptable to investors, and from their observations learned unmistakably that aid through the state, by advances or subsidy, was dangerous. The majority of writers on the subject of rural credit, however, have frankly taken their inspiration from the immeasurable mass of socialistic literature and cavalierly regard loans by the state to agriculturists as a matter of course. During the development periods respectively of Canadian and United States agriculture, there was no thought of state aid to the settler. With his rude equipment he carved from the forest his homestead, and in a very short time laid the foundations of what cannot

but be regarded as two unprecedentedly prosperous and happy peoples—those of the United States and Canada. In recent years, however, the lineal descendant of the settler, our present-day farmer, has become the special subject of the paternalistic legislator. "As a father pitieth his children," so the legislator has sought to win the favour of the farmer by shielding him from the operation of the old law of supply and demand, with the result that in the United States, as pointed out by Professor Morman: "High wages and a high standard of living have been the lot of town and city workers, but the reverse has been the case with two millions or more of farm workers in the past few years. They have had their small incomes drained by enforced payments of interest on their debts and of taxes on their land. It has resulted in a lower standard of living among rural workers, so that to-day the chief problem of agriculture is not one of providing more credit, but of making farming more profitable."

Professor Morman has carefully surveyed the existing state "rural credit" systems in the United States. We cannot say that he has done full justice, nor does he appear to have given the same study to other systems which preceded the extraordinary developments of the period since 1916, when the Federal Farm Loan system was inaugurated. Prior to that time the greatest agricultural development took place, and in its wake "a bold peasantry, their country's pride" had become a reality. Similarly in Canada, in the older provinces, the farmers became the investors who laid the foundation of credit which facilitated the financing and settlement of the virgin lands opened up within the last three decades and carved into provinces.

We question the historical accuracy of Professor Morman's statement that in the last two decades of the nineteenth century in Canada interest rates varied from "9 to 15 per cent." If such rates had prevailed at that time, there would be no object in the lending agencies of to-day seeking for borrowers in the Canadian west willing to pay 8%. But, in both countries with which the volume concerns itself, agricultural conditions were relatively as prosperous as they are to-day, and they had been brought about, from a pioneer state, without the intervention of the state in subsidizing or providing loans in a general way, such as we have to-day and as exemplified by the Federal Farm Loans system. Professor Morman attributes to that system some amelioration of the farm borrower's condition in the United States, in the form of more "uniform interest rates" and partial abolition of high commission rates charged by bankers and others for obtaining loans for borrowers. The services rendered by the commission man in getting a loan, we fear, have not been quite fairly described. In many cases he assumed the

risk, not only for the interest but the principal as well. No doubt it would be quite easy to assemble a number of cases where the office of intermediary between the man with the money to lend and the man who wished to borrow was grossly abused. On the other hand, it would be equally easy to assemble a large number of cases where such agent has been a benefactor to the farm borrower. If there was an extraordinary number of abuses they could not have long existed, as the competition for farm loans by agencies whose reputation is beyond question was, at the time the Federal Farm Loans Board commenced operations, gradually but surely becoming more acute.

In Canada, farm loans became harder to obtain when, from amongst farmers themselves, an agitation of a political character developed, and one of its chief claims was that agriculture was no longer profitable. As in the United States, state lending commenced with the object of reducing the rate of interest. How lower interest rates could be expected in the face of the claim, so vehemently urged, that agriculture was unprofitable, is an enigma to the ordinary economist. The proponent of one of the Canadian systems, a provincial cabinet minister, was asked by the writer for actual instances of excessive interest rates exacted by reputable companies. He directed that enquiries be made of the minister in actual charge of the lending department, with the assurance that he had "stacks of them". To these "stacks" investigation was directed, with the result that only one instance was on record, that of a \$500 loan at 9%. Upon further enquiries it was ascertained that this was an isolated advance by a large institution and was carried at a loss. The borrower was not a desirable one and could not get accommodation elsewhere.

So far as interest rates in the United States are concerned, the claim by Professor Morman that they have been lowered one per cent. through the operations of the Farm Loans Board, must be accepted with some reserve. The actual net rate earned by the life insurance companies, the most considerable private lenders in the United States, on their farm mortgage loans, has gradually increased since 1916.

The point to be kept in mind, however, is, that if the interest rate has been reduced, the amount of interest being paid by the farmer is actually greater, while the volume of his product, and its value, are, on the average, actually stationary. Professor Morman has most effectively accentuated the seriousness of the growth of debt and plainly indicates that the prospect of retiring it, or keeping up the annual charges, is one of the enigmas of the future. Where state lending has assumed such proportions as in the United States, the solution of the enigma will probably be some sort of tax, as provided for in Minnesota. For the

Federal Government responsibility is technically disclaimed, but it is difficult to understand how a modern state, when that state appoints the administrative board, provides the funds and working capital, exempts it from all forms of taxation, and makes its bonds "instrumentalities of the Government", can escape responsibility in case the farmers are not able to meet their payments. On the other hand the private lender has to determine before the loan is made that the borrower can repay or that his security is sufficient.

Professor Morman's book ought to be perused by students of agricultural credit as it is the first one to pass through our hands which deals satisfactorily with the repayment of loans as well as with systems of making them.

JOHN APPLETON

Canada's Balance of International Indebtedness, 1900-1913: An Inductive Study in the Theory of International Trade. By JACOB VINER. (Harvard Economic Studies, Volume XXVI.) Cambridge: Harvard University Press. 1924. Pp. x, 318. (\$3.50.)

PROFESSOR VINER's study of *The Canadian Balance of International Trade* secured the David A. Wells Prize for the year 1922-23. The book is not easy to read (as is almost inevitably the case in a very detailed inductive study), but of its value there can be no doubt. The writer has placed in his debt all the Canadian economists, historians, students, bankers, and borrowers to whom the subject is of practical interest. Studies partially covering the ground, which is here for the first time fully covered, have been numerous. Professor Viner has drawn upon many sources, sometimes agreeing with his authorities and sometimes failing to do so; but the group of problems which is here investigated has never before been treated as a whole with such minute care, nor interpreted so successfully in terms of established economic theory.

The period from 1900 to 1913 was one of very rapid development, during which the population of Canada, which may be taken as a rough measure of wealth and productive power, was growing more rapidly than that of any other country in the world. The main features of those eventful fourteen years are familiar to everyone: a very heavy borrowing of capital abroad, coupled with a large increase in the volume of production in Canada, which, however, did not closely synchronize with the borrowing, since a time must elapse between the flotation of securities abroad and the embodiment of the proceeds of such sale in new productive plant in this country.

In 1900 and 1901 the so-called balance of trade—that is, the balance of visible exports and imports—was in favour of Canada; in 1902 the

balance was even. From 1903 onwards it was increasingly against Canada in every year without exception till the outbreak of the War. In 1913 it fell short of \$300,000,000 by a very small sum. At the same time, vast and increasing quantities of new capital were being invested in Canada, the exchanges were stable, and, with few interruptions, new gold was steadily flowing into the country.

Professor Viner is concerned primarily with the measurement of the invisible elements entering into the balance of trade. He considers in great detail non-commercial items in the international balance of indebtedness (Part I, Chapter 3); freight, insurance, and tourist expenditure (Part I, Chapter 4); and investments of foreign capital in Canada (Part I, Chapters 5 and 6). In all of these he is concerned to draw upon economic theory only in so far as he takes it for granted that the balance of credits and debits must in the long run closely cancel out.

In Part II he is concerned, first, with the *a priori* explanation of the mechanism of capital importation which is supplied by, e.g., John Stuart Mill; secondly, with the part played by the Canadian banks in the transfer of balances and the movement of gold respectively; and thirdly, with the changes in relative price levels (both among specific groups of commodities which enter into the Canadian index of wholesale prices, and as between the price level of Canada and those of other countries). To this last inquiry we naturally look for an inductive verification of the classical theory.

Canadian readers will be interested to note that Professor Viner considers the federal Customs Department "exceptionally efficient" (page 27). He is not equally impressed with the work of the Immigration Department. Its literature, he complains, "gives evidence of the influence of a 'boom' psychology, and little confidence can be placed in statistical data presented by it which are not collected according to routine methods prescribed by statute" (page 43). But personal judgments of this kind are rare.

Rarer still are the minor errors which creep into almost any book which is written in one country about another. The Canadian minister of finance in 1913 was the Honourable W. T. (now Sir Thomas) White, and in a subsequent edition his initials will doubtless be corrected (page 43). Somewhat more important as a source of error is the readiness with which Professor Viner assumes that the statistics of emigration to British North America, published by the British government, relate wholly to migrants bound for Canada. A slight allowance is due for emigrants to Newfoundland, though the correction on this account cannot affect materially the conclusions that Professor Viner finds upon these tables (page 50).

Using, as he must invariably do, an indirect method of calculation, the writer concludes that the net emigration of Canadians from Canada during the period under review was 335,000. His estimate for the period from 1900 to 1910 is 210,570. The suggestion is perhaps relevant that, in making his estimate, Professor Viner assumed a death rate for the Canadians living in the United States which was unduly low. With an assumed death rate of 17 per thousand instead of 15, it has been calculated¹ that the figure is some 7% higher than that given on page 53 of the book under review. Of the rather arbitrary assumptions with regard to capital brought with them by immigrants, nothing need here be said, since it is impossible to estimate the sum of capital taken in and out of the country by migrants without making some arbitrary assumption.

It may be questioned whether in his description of "the mechanism of adjustment" (in Part II, Chapter 7) Professor Viner does not exaggerate the importance of New York as a financial intermediary between Canadian banks and London. "A supply of bills on London," he says (page 153), "in excess of the amount needed to meet current obligations in Great Britain would be sold in London or New York for American funds, and similarly a shortage of sterling bills in Canada would be met by purchases of sterling exchange in New York or by sale of New York funds in London rather than by direct dealings with London." (The italics are the reviewer's.) Of the present, this is doubtless true, but before the War, when England was still on a gold basis, it was a simpler matter for the Canadian banker quickly to put himself in possession of funds in London than this passage would lead the reader to suppose.

Professor Viner differs from Mr. R. H. Coats, the Dominion statistician, in estimating most of the main items which enter into his final balance of indebtedness. He has access, of course, to fuller materials than were available to Mr. Coats at the time when the *Report on the Cost of Living* was compiled. His estimates are smaller than those of Mr. Coats in every case but one on the debit side and two on the credit side of the balance (page 107). Thus, the differences between them tend to some extent to cancel out. It is interesting also to note how widely the estimates which have been made from time to time of the volume of Canadian public issues sold in Great Britain have differed. The tables quoted from the London *Economist*, the London *Statist*, Mr. F. W. Field, and Mr. E. R. Wood (pages 112 and 115) show wide divergencies.

It is to be hoped that this book will take a prominent place in years

¹Annals of the American Academy of Political Science, May, 1923.

to come on the curriculum of all university courses in Canada which include the subject of international trade. The difficulties inherent in Professor Viner's enterprise provide a valuable training for the student; with his main conclusions it is unlikely that anyone will seriously quarrel.

GILBERT E. JACKSON

Canada and the Grand Trunk, 1829 to 1924. By H. A. LOVETT, K.C.
Montreal: Privately printed. 1924. Pp. viii, 241.

Trains of Recollection. By D. B. HANNA. Toronto: The Macmillan Company of Canada, Ltd. 1924. Pp. x, 340; illustrations. (\$3.50.)

THE first of these books compresses into 250 pages the history of the Grand Trunk Railway from its genesis, seventy-five years ago, up to the date when it was taken over as a part of the Canadian National system. It contains copious extracts from parliamentary proceedings, reports of shareholders' meetings, and other official documents, so that, as far as possible, the story is developed in the very words of the chief actors, whose characters unfold before the reader. The reasons for the failure of the road are precisely and convincingly stated, and a perusal of this book should go far to dispel the illusion, common among the unfortunate shareholders, that their misfortunes were in some way due to bad faith on the part of the Dominion government. In conclusion, the author presents a picture of Canada's present railway burden and deplors the policy of attempting to make the national railways pay by abstracting competitive traffic from the Canadian Pacific Railway through more lavish expenditure on buildings, rolling stock, and advertising. He gives arguments to support the view of the late Lord Shaughnessy, that it would be the most advantageous plan to call upon the Canadian Pacific Railway to operate the two great railway systems of Canada as a united whole. The book is of necessity highly condensed, and the reader must himself supply most of the necessary background of Canadian economic and political history. A somewhat fuller citation of sources might have added to the value of the book. The author's conclusions will, of course, be widely challenged, but, in any case, the book will form a useful addition to the library of any student of Canadian railway history and problems.

Trains of Recollection contains a series of chapters from the life of a well-known railway man, which first appeared as articles in the *Toronto Star Weekly*. The book lays no claim to consideration as a systematic contribution to the history of transportation in Canada, but it does present a number of interesting little descriptions, in newspaper style, of life in Scotland fifty years ago, pioneer railroading in the Canadian

west, difficulties of railway operation and finance before 1924, and some of the railway builders themselves.

H. R. KEMP

The Canada Year Book, 1922-23: Official Statistical Annual of the Resources, History, Institutions, and Social and Economic Conditions of the Dominion. Edited by S. A. CUDMORE. Ottawa: The King's Printer. Pp. xxvii, 1038. (\$1.00.)

Province of Quebec: Statistical Year Book, 1923. Edited by VALMORE GRATTON. Quebec: The King's Printer. Pp. xx, 419.

"WITH the present edition of the *Year Book*," writes the Dominion statistician in his preface to the larger of these volumes, "the Bureau has entered upon the final stages of its revision of this important publication." That revision has added upwards of three hundred pages to the contents, and transformed what was at one time an inadequate, even exasperating, work of reference, into one which does the country credit.

The principal additions to be noted are as follows:

(a) An excellent analysis of "The factors which control Canadian weather", contributed by Sir Frederick Stupart, director of the Meteorological Service of Canada;

(b) A summary of the results of the census of 1921, which brings up-to-date the section of forty pages on Population; and a more detailed treatment of vital statistics than has previously been published;

(c) A considerable addition to the section on Production; together with statistics on Internal Trade; and

(d) The publication of the new index number compiled by the Dominion Bureau of Statistics—which last is an event of sufficient importance to future Canadian research students to justify far more extended analysis than it has yet received in any Canadian publication.

The *Canada Year Book* has the great advantage of being compiled and published by the same officials who, under the Statistics Act of 1918, are charged with the task of organizing statistics for the nation. In the capable hands of Mr. Cudmore it has developed out of recognition, and the reader who consults it has always the comfortable feeling of security born of knowledge that the men who made the volume have themselves learnt all that is to be known about the materials on which they work.

Not so the *Statistical Year Book* of the Province of Quebec. Attractive at first sight (for it contains a wealth of useful-looking tables and explanatory charts) it fails to pass a closer scrutiny.

Its aim is beyond criticism: to present an economic and social survey

of the oldest province, which shall enable the reader to make the necessary comparisons with other provinces, with the Dominion as a whole, and, when necessary, with France as well. But that aim is carried out with a carelessness of detail which provokes distrust at every page.

This weakness is twofold. In the first place, there is reason to believe that a great deal of the statistical material is untrustworthy. In the second place, the reproduction of that material by the Quebec Bureau of Statistics does not inspire confidence.

As an example of the former defect, the following may be cited: The statistics of infantile mortality show that Hull lost 284 infants per 1,000 in 1913, and only 88 per 1,000 in 1914; and that Sherbrooke lost only 58 per 1,000 in 1913, while in 1914 the number was 158 per 1,000. It is just possible that both pairs of statements are accurate; but on the face of them they carry the hall mark of incredibility.

As an example of the latter weakness, the statistics of grain prices may be cited. The average price per bushel of spring wheat grown in Quebec was, in 1919, approximately \$2.86. In this volume it is quoted as having been approximately \$2.38. An error of more than 20 per cent. in a most important table does much to discredit any figure elsewhere which cannot easily be verified.

All of these things are to be deprecated by the statistician; for if it could only be trusted, there is much in this volume which is significant and new to the student of civilization in Quebec.

GILBERT E. JACKSON

The Lake Superior Country. By T. MORRIS LONGSTRETH. Toronto: McClelland and Stewart. 1924. Pp. xi, 360.

THIS is a book of enthusiastic description of the Lake Superior Country—the austere and magnificent east shore, north shore, Nipigon, Thunder Bay, Isle Royal, St. Ignace Island, and the neighbouring lakes, streams and rivers. Really fine descriptive passages are interlaced with incidents of the woods and waters, and with anecdotes of the people. Mr. Longstreth is a very good story teller; he describes what he sees freshly, with an unexpected use of adjectives and poetic images that makes his zest and humour and friendliness contagious.

It is true that at times one feels the book verges on the uncritical eulogy of the railway folder; that Mr. Longstreth justifies his travellings a little too sweetly. He has been bewitched by the daily routine of Northern folk, of trappers, settlers, Indians, fishermen and guides. But, why not? To go from civilized centres to this majestic country, to encounter folk whose hearts beat in unison with its inner rhythm, to meet those who know the peace and remote, strange music of lovely

places and the ways of the winds, storms, and woods, is to touch something fundamental and disarmingly simple. These people live contentedly far removed from conventional standards of value, they know all the voices of this strange country, for them the "luminous North", and distil calm unceasingly from its dangers, hardships, and endless vicissitudes. Here all, save incorrigible materialists and spoilt people, feel marvellously at home, for they sense a profounder peace than exists where hordes of humans flock.

Mr. Longstreth also praises the Canadian Pacific camps and the Canadian National lodges. But that again is justified. These are placed strategically in the finest country and conducted simply and smoothly. Their spirit is in harmony with the country.

We need more books of this kind—books on the Georgian Bay, Temagami, Algonquin Park, the Peace River country, Jasper Park. We are a scattered, lean strip of civilization running across a continent under a great and immensely varied north country, and the more we permit the mood of this vast region to seep into our souls the better for us.

LAWREN HARRIS

RECENT PUBLICATIONS RELATING TO CANADA

(Notice in this section does not preclude a more extended review later.)

I. THE RELATIONS OF CANADA WITHIN THE EMPIRE

"AUGUR." *League and Empire* (Fortnightly Review, July, 1924, pp. 1-12).

An attempt to estimate the effects upon the British Empire of the consistent application of the Covenant of the League of Nations.

BALFOUR, ANDREW and SCOTT, HENRY HAROLD. *Health problems of the Empire*. (The British Empire: A survey in twelve volumes, edited by HUGH GUNN.) London: W. Collins Sons & Co., Ltd. 1924. Pp. xx, 413.

The challenge of the Empire to medical scientists.

BODELSEN, C. A. *Studies in mid-Victorian imperialism*. Christiana, London and Berlin: Glydendal. 1924. Pp. 226.

To be reviewed later.

BOTSFORD, JAY BARRETT. *English society in the eighteenth century as influenced from overseas*. New York: The Macmillan Company. 1924. Pp. vii, 388. (\$3.00.)

Reviewed on page 268.

COOK, Rt. Hon. Sir JOSEPH. *A great imperial policy: Economic Conference—and after* (Nineteenth Century, May, 1924, pp. 635-646).

An estimate, by the high commissioner for Australia, of the value to Great Britain of the Dominion preferential tariffs.

FOSTER, Sir GEORGE E. *Canada* (The Dominions and Dependencies of the Empire, in the British Empire series, edited by HUGH GUNN, pp. 29-70).

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A reply to some of the criticisms which have been expressed in earlier numbers of the *Nineteenth Century* against the adoption of a general system of imperial preference by Great Britain.

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A description of the British Empire Exposition, and an account of the growth of imperial sentiment.

II. HISTORY OF CANADA

(1) General History

ARMSTRONG, P. C. *Forces of disunion in Canada* (Current History, July, 1924, pp. 601-606).

A discussion of the obstacles to a closer unification of the Canadian provinces.

DENGER, HERMANN. *Indianer: Die Indianerstämme des Ostens und der Prärien Nord-Amerikas nach Darstellung aus der Zeit von 1590 bis 1850*. Stuttgart: Frank'sche Verlagshandlung. 1924. Pp. vii, 80, 96; illustrations.

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An address at the dedication of the William L. Clements Library of Americana at the University of Michigan.

NELSON, JOHN. *The Canadian provinces: Their problems and policies*. Toronto: The Musson Book Company. 1924. Pp. xix, 219.

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(2) New France

BELLESSERT, ANDRÉ. *Reflets de la vieille Amérique*. Paris: Perrin et cie. 1923. Pp. 313. To be reviewed later.

BIGGAR, H. P. *Frontenac's projected attempt on New York in 1689* (Quarterly Journal of the New York State Historical Association, April, 1924, pp. 136-147).

An account, based upon original sources, of a plan drawn by Callières, the governor of Montreal, to capture New York in 1689.

——— *The voyages of Jacques Cartier: Published from the originals with translations, notes and appendices*. (Publications of the Public Archives of Canada, No. 11.) Ottawa: F. A. Acland. 1924. Pp. xiv, 330; maps and illustrations.

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(3) British North America before 1867

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FARR, SHIRLEY. *Marbois on the fur trade* (American Historical Review, July, 1924, pp. 725-740).

A letter and report, from the archives of the Minister of Foreign Affairs at Paris, dealing with the fur trade as it was carried on through central New York in 1784.

JAMESON, J. FRANKLIN (ed.). *Privateering and piracy in the colonial period: Illustrative documents*. Edited under the auspices of the National Society of the Colonial Dames of America. New York: The Macmillan Company. 1923. Pp. xxvi, 619.

Reviewed on page 270.

LAPALICE, O. *Luc Schmid* (Bulletin des recherches historiques, juillet, 1924, pp. 213-217).

An account of a militia captain who helped to defend the frontiers of Quebec during the revolutionary war.

MCGILLICUDDY, OWEN E. *Where the Astor fortune began* (Canadian Magazine, August, 1924, pp. 223-224).

A brief account of John Jacob Astor's fur-trading enterprises in the days when they centred in Montreal.

SPAULDING, O. L. *The military studies of George Washington* (American Historical Review, July, 1924, pp. 675-680).

The evidence for believing that Washington had read widely upon military subjects.

W., L. O. *"Who was who" in Michigan, 1760-1796* (Michigan History Magazine, April, 1924, pp. 126-134).

A report of the manuscripts relating to the British occupation of Michigan which have been added during the year 1922-23 to the Burton Historical Collection of the Detroit Public Library.

WADE, F. C. *The United Empire Loyalists* (Nineteenth Century, August, 1924, pp. 273-281).

A sketch of the history of the loyalists during and after the War of American Independence.

(4) The Dominion of Canada

[ANON.] *Master minds of Canada: I. Sir John Aird* (Canadian Magazine, June, 1924, pp. 92-94).

A sketch of the business career of the President of the Canadian Bank of Commerce.

CAMERON, E. R. *Sir Louis Davies* (Canadian Bar Review, May, 1924, pp. 305-307).

A brief appreciation of the late Chief-Justice of Canada.

COLBY, C. W. *Sir Edmund Walker* (Dalhousie Review, July, 1924, pp. 152-161).

A sketch of the career of the late Sir Edmund Walker.

HOOPER, FRANKLIN H. (ed.). *These eventful years: The twentieth century in the making*. Two vols. London: The Encyclopaedia Britannica Company. New York: Encyclopaedia Britannica. [1924.] Pp. xxi, 692; xii, 695.

Contains a chapter, entitled "Canada a nation", by W. S. Wallace, which recounts the principal developments in Canadian history since 1900.

POUND, ROSCOE. *The theory of judicial decision II, Nineteenth-century theories of judicial findings of law* (Canadian Bar Review, May, 1924, pp. 335-355).

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ROGERS, LINDSAY. *The changing English constitution* (North American Review, June, 1924, pp. 758-768).

An account of recent changes in the practice of choosing the premier, in the exercise of the prerogative of dissolution, and in the Cabinet's control of the House of Commons.

WALLACE, W. STEWART. *Sir John Macdonald*. (Canadian Statesmen: No. 1.) Toronto: The Macmillan Company of Canada, Limited. 1924. Pp. 132. (\$1.00.)

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A survey of a "disruption" movement of 1923.

(2) The Province of Quebec

Almanach de la langue française. Montreal: La Ligue d'Action Française. Pp. 159. (25 sous.)

The ninth issue of an annual publication which contains articles by French Canadians on topics of national and racial interest.

[ANON.] *La Province de Québec (1ère partie)* (Revue Trimestrielle Canadienne, Juin, 1924, pp. 202-222).

An historical account of the Province of Quebec from 1867 to 1887.

CROMARTY, CONSTANCE. *Seigniories—Weaving-looms and homespun* (Canadian Magazine, August, 1924, pp. 198-205).

"An article on the quaint old French settlements along the north shore of the lower St. Lawrence."

DAVID, A. *Statistical year book of Quebec, 1923*. Quebec: Ls-A. Proulx. 1923. Pp. xx, 419.

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A note on the use of beverages in French Canada.

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A document of 1717 prohibiting the manufacture of beaver hats in Canada.

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Notes upon the place names, *L'auberge des trois rois*, and *Cabinet de curiosités ou le musée italien*.

ROWAT, D. M. *The notarial profession in the province of Québec* (Canadian Bar Review, June, 1924, pp. 391-402).

Chronological notes upon the profession of notary in Canada, in the French and British régimes.

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Extracts from documents about the appointment and marriage of a public executioner at Quebec in the middle of the eighteenth century.

— *Les mariages dans la Nouvelle-France* (Bulletin des recherches historiques, juillet, 1924, pp. 193-194).

A note on the early marriages of the seventeenth century.

— *Le premier moulin à farine au Canada* (Bulletin des recherches historiques, juin, 1924, pp. 180-181).

Extracts from Champlain's *Journal* of 1628-9, about the construction of the first flour mill in Canada.

TURGEON, ADELARD. *Premier rapport de la Commission des Monuments Historiques de la Province de Québec, 1922-23*. Québec: Ls-A. Proulx. 1923. Pp. xvi.

A report by the president of the Quebec Commission of Historical Monuments upon the activities of the commission since its creation in March, 1922.

(3) The Province of Ontario

CRUIKSHANK, Brig.-Gen. E. A. (ed.). *The Correspondence of Lieutenant-Governor John Graves Simcoe*. Volume II. 1793-1794. Toronto: Published by the Ontario Historical Society. 1924. Pp. xv, 470. (\$1.00.)

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JONES, JAMES EDMUND. *Pioneer crimes and punishments in Toronto and the Home District*. Toronto: George N. Morang. 1924. Pp. xvi, 195.

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A pamphlet containing, besides the annual reports of the officers, a *Sketch of the life of Mrs. W. Forsyth-Grant*, and *Letters from W. Jarvis, secretary for Upper Canada*, and *Mrs. Jarvis to the Rev. Samuel Peters between the years 1792 and 1813*.

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A criticism of the methods of raising municipal and provincial taxes in British Columbia.

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An agreement of 1840 between the Hawaiian governor of Oahu and the agent of the Hudson's Bay Company in Honolulu, for labourers to go to the Columbia River.

CLARK, A. B. *Our legislative mills IX. The single-chamber legislature of Manitoba* (National Municipal Review, April, 1924, pp. 225-233).

An account of the organization and procedure of the legislature of Manitoba.

KUYKENDALL, RALPH S. *James Colnett and the 'Princess Royal'* (Quarterly of the Oregon Historical Society, March, 1924, pp. 36-52).

The story of the restitution of the British ships which were seized by the Spaniards at Nootka Sound in 1789.

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A discussion, based upon British and American documents, of the influence of the Oregon pioneers upon the boundary controversy of 1845-6.

PRITCHETT, J. P. *Some Red River fur-trade activities* (Minnesota History Bulletin, May, 1924, pp. 401-423).

A sketch of the history of the north-west fur-trade from 1763 to 1849, when the trade became virtually free to the settlers at Red River.

IV. GEOGRAPHY, ECONOMICS, AND STATISTICS

[ANON.] *Spare time in the country II. Oversea methods of organization* (International Labour Review, July, 1924, pp. 120-135).

An account of organized attempts at improving conditions in rural communities in the United States and Canada.

[ANON.] *The geographical work of the Canadian Arctic expedition* (Geographical Journal, June, 1924, pp. 508-525).

A critical examination into the discoveries made by Mr. Stefansson's Arctic expedition of 1915-17, arising from an attack by Mr. James White upon an article by Mr. F. A. McDiarmid in the October number of the *Geographical Journal*, entitled *Geographical Determinations of the Canadian Arctic Expedition*.

BENOIST, EMILE. *L'ennemi dans la place: Les fuites de notre capital* (L'Action Française, May, 1924, pp. 258-267).

A protest against the investment of French Canadian capital in enterprises not owned by French Canadians.

BROWN, R. N. RUDMOSE. *The sovereignty of polar lands* (Discovery, June, 1924, pp. 77-81).

A brief account of polar exploration and of recent annexations of Arctic and Antarctic territory.

BUCKLEY, ALFRED. *Canada's national parks* (Canadian Magazine, August, 1924, pp. 209-214).

An account of the growth, since 1887, of the national park system.

CAMPBELL, PERSIA CRAWFORD. *Chinese coolie emigration to countries within the British Empire*. (No. 72 in the series of monographs by writers connected with the London School of Economics and Political Science.) London: P. S. King & Son, Ltd. 1923. Pp. xxiii, 240. (10s. 6d.)

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An instructive and popular account of a trip across Canada from St. John's to the Klondike.

COLLINS, FRANCIS A. *Mountain Climbing*. Illustrated with photographs. Toronto: F. D. Goodchild Company. Pp. vi, 314. (\$2.00.)

An account of the conquest of high mountains in all parts of the world, including several chapters about mountaineering exploits in North America.

HAMILTON, L. *Die Wasserkräfte Canadas und ihre Ausnützung* (Zeitschrift für Geopolitik, Juni, 1924, pp. 358-365).

An account of Canadian waterfalls and their commercial possibilities.

HAMMOND, M. D. *The mining revival* (Canadian Magazine, June, 1924, pp. 69-80).

A description of the mines of northern Ontario and Quebec.

HANNA, D. B. *Trains of recollection*. Toronto: The Macmillan Company of Canada. 1924. Pp. x, 340.

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JEFFERS, LE ROY. *The call of the mountains: Rambles among the mountains and canyons of the United States and Canada*. New York: Dodd, Mead & Company. 1923. Pp. xv, 282; illustrations.

An account of the author's experiences in mountain climbing.

LAMB, DAVID C. *Juvenile migration and settlement* (Edinburgh Review, July, 1924, pp. 172-185).

A report upon the work of the Salvation Army in settling juvenile British emigrants in the Dominions, particularly in Canada and Australia.

LOVETT, H. A. *Canada and the Grand Trunk, 1829 to 1924*. Montreal: Published by the author. [1924.] Pp. viii, 241.

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M., A. M. *Bird sanctuaries in Canada* (United Empire, May, 1924, pp. 304-307).

A descriptive account of the wild bird sanctuary of Mr. Jack Miner, of Kingsville, Ontario.

MACKINTOSH, MARGARET. *Government intervention in labour disputes in Canada* (Bulletin of Queen's University: History and Political and Economic Science, No. 47.) Kingston: Queen's University Press. 1924. Pp. 30.

A re-print of an article published in the *Queen's Quarterly* for January-March, 1924.

NEARING, SCOTT. *The economic conquest of Canada* (The Nation, April 16, 1924, pp. 432-433).

A brief survey of financial conditions in Canadian industry.

SHORTT, ADAM. *Canada's policy respecting pulp wood* (Annals of the American Academy of Political and Social Science, March, 1924, pp. 231-232).

A brief survey of recent tendencies in the Canadian pulp wood industry.

SISSONS, C. B. *What can we do with the Doukhobors?* (The Canadian Forum, July, 1924, pp. 298-300).

A description of the Doukhobor colony in British Columbia.

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An article to show that the reindeer industry of the Arctic regions has passed beyond the experimental stage.

WHITTON, CHARLOTTE. *The immigration problem for Canada* (Queen's Quarterly, April, May, June, 1924, pp. 388-420).

A comprehensive discussion of the conditions which affect migration to Canada.

V. EDUCATIONAL AND RELIGIOUS HISTORY

[ANON.] *Ephémérides de Ste-Anne-de-Beaupré* (Bulletin des recherches historiques, juillet, 1924, pp. 207-212).

A transcription from the day-book of the church of Ste-Anne-de-Beaupré, from 1650 to 1922.

ASHTON, H. *Education and the Empire* (United Empire, June, 1924, pp. 356-359).

A constructive criticism of attempts to encourage migration of students and professors among the universities of the Empire.

CHARTIER, Chanoine EMILE. *Les collèges classiques de Québec* (Revue Trimestrielle Canadienne, juin, 1924, pp. 115-133).

An account, by the vice-rector of the University of Montreal, of the classical colleges of the Province of Quebec which are affiliated with Laval University and the University of Montreal.

GOSSELIN, AMÉDÉE. *Les Buissons de Saint-Cosme, prêtres* (Bulletin des recherches historiques, juillet, 1924, pp. 195-198).

Biographical notes about Three French Canadian priests of the same name.

GOYAU, GEORGES. *Les origines religieuses du Canada: III. Les croisés de Montréal (1639-1645); IV. L'âge des martyrs* (Revue des Deux Mondes, 15 avril, pp. 836-865; 15 mai, pp. 353-384).

The conclusion of a series of articles on the early ecclesiastical history of Canada, noticed in the CANADIAN HISTORICAL REVIEW for June, 1924, at page 187.

[THE HISTORICAL ASSOCIATION.] *Annual bulletin of historical literature, No. XIII.* (Publications of the year 1923.) London: By the Association. 1924. Pp. 75.

A classified list of recently published historical books, with brief annotations and an index.

LECOMPTE, EDOUARD. *L'apôtre des Abenakis* (L'Action Française, juillet, 1924, pp. 19-28).

An account of the work of le Père Sébastien Rasle, S.-J., among the Abenaki Indians from 1694 to 1724.

McKELLAR, HUGH. *Presbyterian pioneer ministers*. Toronto: Murray Printing Company. 1924. Pp. 249; illustrations. (\$2.00.)

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MORIN, PAUL. *Art, literature, and ideals of French Canada* (Dalhousie Review, July, 1924, pp. 141-151).

An appreciation of the culture and policy of the French Canadian people.

NEY, F. C. *Canadian Education and Empire citizenship* (United Empire, July, 1924, pp. 425-432).

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A study of Garneau as a follower of the historian Thierry.

ROY, CAMILLE. *Le centenaire de Gérin-Lajoie* (Le Canada Français, juin, juillet, août, 1924, pp. 780-789).

A biographical sketch of the author of *Jean Rivard*, and *Dix ans d'histoire du Canada, 1840-1850*.

